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| 1 | Noelle E. Dwarzski, WSBA No. 40041 | |
| 2 | BARLOW COUGHRAN MORALES & JOSEPHSON, P.S. | |
| 3 | 1325 Fourth Ave Suite 910 Seattle, WA 98101 | |
| 4 | Telephone: (206) 224-9900 Facsimile: (206) 224-9820 | |
| 5 | E-mail: noelled@bcmjlaw.com | |
| 6 | | |
| 7 | | DISTRICT COURT |
| 8 | | CT OF WASHINGTON EATTLE |
| 9 | BOARDS OF TRUSTEES OF THE | |
| 10 | CEMENT MASONS & PLASTERERS HEALTH & WELFARE TRUST, | |
| 11 | CEMENT MASONS AND PLASTERERS RETIREMENT TRUST, | |
| 12 | and WESTERN WASHINGTON CEMENT MASONS JOURNEYMAN | NO. |
| 13 | AND APPRENTICE TRAINING TRUST, | COMPLAINT FOR BREACH OF |
| 14 | Plaintiffs, | COLLECTIVE BARGAINING |
| | V. | AGREEMENT BY SIGNATORY AND ALTER-EGO EMPLOYERS |
| 15 | LUNDEEN SIMONSON, INC., a Washington Corporation, UBI No. | |
| 16 | 601358261, Contractor's License No. LUNDESI086PZ and DIAMOND-S | |
| 17 | POLISHED CONCRETE, INC., UBI No. 601391300, Contractor's License No. | |
| 18 | DIAMOPC865NQ, Defendants. | |
| 19 | Defendants. | |
| 20 | For their complaint, plaintiffs allege as | s follows: |
| 21 | I. PARTIES A | AND JURISDICTION |
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COMPLAINT FOR DELINQUENT FRINGE BENEFIT CONTRIBUTIONS - 1

BARLOW COUGHRAN MORALES & JOSEPHSON, P.S. 1325 FOURTH AVE., SUITE 910 SEATTLE, WA 98101 (206) 224-9900



| 1 | 1. Plaintiffs are the Boards of Trustees of the Cement Masons & Plasterers Health |
|----|--|
| 2 | & Welfare Trust, Cement Masons and Plasterers Retirement Trust, Western Washington |
| 3 | Cement Masons Journeyman and Apprentice Training Trust, and Washington Construction |
| 4 | Industry Substance Abuse Program Funds (collectively "Trust Funds"). |
| 5 | 2. The plaintiffs Boards of Trustees are fiduciaries as that term is defined in |
| 6 | Section 402(a) of ERISA, 29 U.S.C. § 1102(a). |
| 7 | 3. Trust Funds are joint labor-management funds created pursuant to Section |
| 8 | 302(c) of the Labor Management Relations Act ("LMRA"), 29 U.S.C. § 186(c), and the |
| 9 | Employee Retirement Income Security Act ("ERISA"), 29 U.S.C. § 1001, et seq. as amended |
| 10 | ("ERISA"). |
| 11 | 4. Defendant Lundeen Simonson, Inc. (hereafter "Lundeen"), is a Washington |
| 12 | corporation engaged in business within the jurisdiction of this Court, and such business |
| 13 | affects commerce within the meaning of Section 301(a) of the Act, 29 U.S.C. § 185(a). |
| 14 | 5. Lundeen's principal place of business is located in Spokane, Washington. |
| 15 | 6. At all material times, the officers and principals of Lundeen have been Bryan |
| 16 | E. Simonson, President; Scott Alan Simonson, Vice President; and Harley Wayne Simonson, |
| 17 | Secretary. |
| 18 | 7. Defendant Diamond-S Polished Concrete, Inc. (hereafter "Diamond-S"), is a |
| 19 | Washington corporation engaged in business within the jurisdiction of this Court, and such |
| 20 | business affects commerce within the meaning of Section 301(a) of the Act |
| 21 | 29 U.S.C. § 185 (a). |
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MORALES & JOSEPHSON, P.S. 1325 FOURTH AVE., SUITE 910

SEATTLE, WA 98101

| | 1 | |
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| 1 | 8. | At all material times, the officers and principals of Diamond-S have been |
| 2 | Bryan Simon | nson, President and Harley Wayne Simonson, Vice President. |
| 3 | 9. | Diamond-S's principal place of business is located in Spokane, WA. |
| 4 | 10. | Jurisdiction is conferred on this Court by Sections 502 and 515 of ERISA, 29 |
| 5 | U.S.C. §113 | 2 and §1145. |
| 6 | 11. | Pursuant to ERISA § 502(e)(2), 29 U.S.C. §1132(e)(2), venue is appropriate in |
| 7 | the Division | of Seattle, King County, Washington as the Trust Funds are administered in King |
| 8 | County, WA | u. |
| 9 | II. | FIRST CLAIM FOR RELIEF: ACTION TO ENFORCE JUDGMENT |
| 10 | 12. | On December 19, 2016, the Trust Funds were awarded Default Judgment |
| 11 | against Lune | deen in the amount of \$115,582.52 in King County Superior Court Cause No. |
| 12 | 16-2-12579- | 4 SEA. A true and correct copy is attached as Exhibit A. |
| 13 | 13. | \$45,005.39 in post-judgment payments were received. |
| 14 | 14. | \$72,932.28 comprised of \$24,323.06 in contributions, \$21,254.64 in interest, |
| 15 | \$15,923.88 | in liquidated damages, \$9,730.67 in accounting fees and \$1,700.00 in attorney |
| 16 | fees remains | outstanding on the judgment. |
| 17 | III. <u>SE</u> | COND CLAIM FOR RELIEF: ACTION TO ENFORCE TERMS OF THE |
| 18 | | TRUST AGREEMENTS |
| 19 | 15. | The Trust Funds re-allege the facts set forth in paragraphs 1 through 14 above |
| 20 | as if stated f | ully herein, and further allege as follows: |
| 21 | 16. | At all material times, Lundeen agreed to be bound by the collective bargaining |
| 22 | agreement (| hereafter referred to as "CBA") between the Operative Plasterers' and Cement |
| | | |

| 1 | Masons' International Association, Cement Masons' Local 528 (hereafter referred to as |
|----|---|
| 2 | "Local 528") and the Associated General Contractors of Washington. |
| 3 | 17. The CBA incorporates the terms of the Trust Agreements for the Cement |
| 4 | Masons & Plasterers Health & Welfare Trust, the Cement Masons and Plasterers Retirement |
| 5 | Trust, and the Western Washington Cement Masons Journeyman and Apprentice Training |
| 6 | Trust (collectively referred to as "Trust Agreements"). |
| 7 | 18. Bryan Simonson, President of Employer, was authorized to legally bind and |
| 8 | sign contracts on behalf of the Employer and signed compliance agreements binding Lundeen |
| 9 | to collective bargaining agreements requiring it to contribute to the Trust Funds. |
| 10 | 19. The CBA and Trust Agreements require Lundeen to make employee benefit |
| 11 | contributions to Trust Funds on behalf of Employer's employees working within with the |
| 12 | jurisdiction of the CBA. |
| 13 | 20. Under the terms of the CBA and Trust Agreements, the Trusts are authorized |
| 14 | to audit Lundeen's payroll records for the purpose of confirming its contribution obligation to |
| 15 | the Trusts. |
| 16 | 21. On August 21, 2018, the Trust Funds issued two audit reports: 1) to the |
| 17 | Cement Masons and Plasterers Trust Funds (Exhibit B) and 2) Washington-Idaho Cement |
| 18 | Masons Employers Retirement Trust Funds (Exhibit C) that covered the period of March |
| 19 | 2015 through May 2018. |
| 20 | 22. At all material times, Lundeen employee employees for whom employee |
| 21 | benefit contributions are due pursuant to the terms of the CBA and Trust Agreements. |
| 22 | 23. According to the terms of the CBA, Trust Agreements, and Section 502(g)(2) |
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MORALES & JOSEPHSON, P.S.

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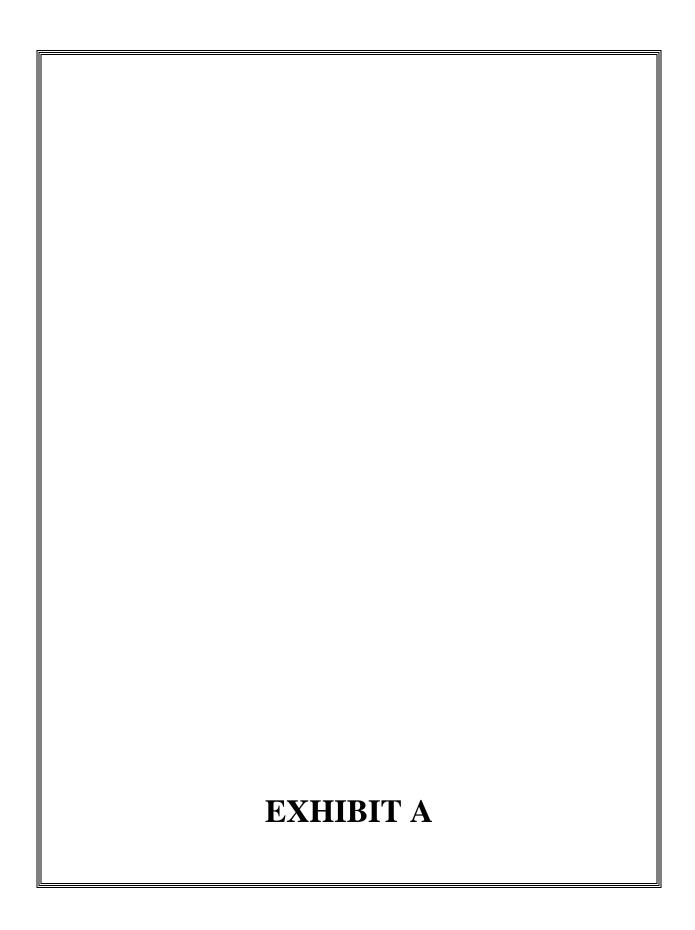
| 1 | of ERISA, 29 USC § 1132(g)(2), Lundeen is obligated to pay liquidated damages, interest, | | | | | | |
|--------|---|--|--|--|--|--|--|
| 2 | reasonable attorney's fees, and costs and expenses of suit. | | | | | | |
| 3 | 24. For the two audits, Lundeen owes \$364,432.44, comprised of \$229,943.54 in | | | | | | |
| 4 | contributions, \$31,090.35 in liquidated damages, \$92,516.05 in interest, and \$10,882.50 in | | | | | | |
| 5 | audit accounting fees for March 2015 through May 2018. | | | | | | |
| 6 7 | IV. THIRD CLAIM FOR RELIEF: DECLARATORY RELIEF THAT DIAMOND- S IS AN ALTER-EGO OF LUNDEEN | | | | | | |
| 8 | 25. The Trusts re-allege the facts set forth in paragraphs 1 through 24 above as if | | | | | | |
| 9 | stated fully herein, and further allege as follows: | | | | | | |
| 10 | 26. Lundeen is a construction contractor located at in Spokane, Washington. | | | | | | |
| 11 | 27. Diamond-S is also a construction contractor. | | | | | | |
| 12 | 28. Diamond-S listed its business address as 3605 East Crown Avenue, Spokane, | | | | | | |
| 13 | Washington 99217 with Washington State Department of Labor & Industries. Lundeen listed | | | | | | |
| 14 | its Registered Agent's street address as 3609 East Crown Avenue, Spokane, Washington | | | | | | |
| 15 | 99217. | | | | | | |
| 16 | 29. Bryan Simonson is listed as the Registered Agent and President for Lundeen. | | | | | | |
| 17 | Bryan Simonson is listed as the President for Diamond-S. | | | | | | |
| 18 | 30. Lundeen and Diamond-S have the same President, business purposes, | | | | | | |
| 19 | operation, equipment, customers, supervision, and ownership. | | | | | | |
| 20 | 31. Diamond-S is the alter-ego of Lundeen because they constitute a single- | | | | | | |
| 21 | employer under the Act and ERISA. | | | | | | |
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MORALES & JOSEPHSON, P.S.

| 1 | 32. As an alter-ego of Lundeen, Diamond-S is required to abide by Lundeen's |
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| 2 | CBA with Local 528 and the Trust Agreements. |
| 3 | 33. As an alter-ego of Lundeen, Diamond-S is required to comply with the Trusts |
| 4 | payroll auditor and provide the documentation necessary for the completion of the Trusts |
| 5 | payroll audit. |
| 6 | 34. As an alter-ego of Lundeen, Diamond-S is liable for the unpaid amounts owed |
| 7 | by Lundeen in the amount of \$364,432.44, comprised of \$229,943.54 in contributions |
| 8 | \$31,090.35 in liquidated damages, \$92,516.05 in interest, and \$10,882.50 in audit accounting |
| 9 | fees for March 2015 through May 2018. |
| 10 | 35. Diamond-S owes additional fringe benefit contributions to the Trust Funds for |
| 11 | covered hours worked by its employees, liquidated damages, interest, attorney fees and costs |
| 12 | for the period of January 2014 through the current date. The total amount shall be prover |
| 13 | through motions or at trial. |
| 14 | 36. According to the terms of the CBA, Trust Agreements, and ERISA §502(g)(2) |
| 15 | Diamond-S is obligated to pay liquidated damages, interest, reasonable attorney's fees, and |
| 16 | costs and expenses of suit. |
| 17 | IV. PRAYER FOR RELIEF |
| 18 | The Trusts pray for relief against the defendants, jointly and severally, as follows: |
| 19 | A. Declaratory relief finding that Diamond-S Polished Concrete Inc. is the alter- |
| 20 | ego of Lundeen Simonson, Inc.; |
| 21 | B. An order requiring Lundeen Simonson, Inc. and/or Diamond-S Polished |
| 22 | Concrete, Inc. to pay all delinquent contributions found to be owing by the Trust Funds; |
| | |

MORALES & JOSEPHSON, P.S.

| 1 | C. For all costs and attorney's fees incurred; | | | | | | | |
|----|--|--|--|--|--|--|--|--|
| 2 | D. For liquidated damages, interest, reasonable attorney's fees, and costs and | | | | | | | |
| 3 | expenses of suit; and | | | | | | | |
| 4 | E. Such other relief as the Court deems just and equitable. | | | | | | | |
| 5 | DATED this 26 th day of May, 2020. | | | | | | | |
| 6 | s/ Noelle E. Dwarzski | | | | | | | |
| 7 | Noelle E. Dwarzski, WSBA # 40041 BARLOW COUGHRAN | | | | | | | |
| 8 | MORALES & JOSEPHSON, P.S. Attorneys for Plaintiff Trusts | | | | | | | |
| 9 | 1325 Fourth Ave., Suite 910 Seattle, WA 98101 | | | | | | | |
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| 7 | | THE STATE OF WASHINGTON COUNTY OF KING | | | | |
| 8 | BOARD OF TRUSTEES OF THE | w - | | | | |
| 9 | CEMENT MASONS & PLASTERERS HEALTH & WELFARE TRUST, et al., | | | | | |
| 10 | Plaintiffs, v. | NO. 16-2-12579-4 SEA | | | | |
| 11 | LUNDEEN SIMONSON | ORDER OF DEFAULT JUDGMENT | | | | |
| 12 | INCORPORATED, a Washington Corporation, Contractor's License No. | [PROPOSED] | | | | |
| 13 | LUNDESI086PZ, UBI No. 601358261 and CONTRACTORS BONDING AND | ** | | | | |
| 14 | INSURANCE COMPANY, Bond No. SD9074, | | | | | |
| 15 | Defendants. | | | | | |
| 16 | | | | | | |
| 17 | JUDGMEN' | Γ SUMMARY | | | | |
| 18 | 8 | f Trustees of the Cement Masons & Plasterers | | | | |
| 19 | Plastere | & Welfare Trust, Cement Masons and rs Retirement Trust, and Western Washington | | | | |
| 20 | Cement Trust | Masons Journeyman and Apprentice Training | | | | |
| 21 | Judgment Debtor: Lundeer | n Simonson Incorporated | | | | |
| 22 | e e | 6 08 ± | | | | |
| | | | | | | |

DEFAULT JUDGMENT - 4

McKENZIE ROTHWELL BARLOW & COUGHRAN, P.S. 1325 FOURTH AVE., SUITE 910 SEATTLE, WA 98101 (206) 224-9900

5000 331 rl191202

| Contributions: \$ 69,328.45 Interest: 16,200.77 Liquidated Damages: 15,923.88 Audit Fees: 9,730.67 Referral Attorney Fees: 1,700.00 Fees and Costs: 427.25 Attorneys Fees: 2,271.50 TOTAL: \$ 115,582.52 Principal Judgment Amount Shall Bear Interest at 12% per annum. Attorney fees, costs and other recovery amounts shall bear interest at 12% per annum. Attorney for Judgment Creditors: Noelle E. Dwarzski McKENZIE ROTHWELL BARLOW & COUGHRAN, P.S. Attorney for Judgment Debtor: None This is an action for breach of a collective bargaining agreement. In accordance with Plaintiffs' motion, the Court having considered the pleadings, documents and declarations on file, finds as follows: FINDINGS OF FACT 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. 2. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 1 | AMOUNTS DUE | | | | | | | |
|--|---------|--|--|--|--|--|--|--|--|
| Liquidated Damages: 15,923.88 Audit Fees: 9,730.67 Referral Attorney Fees: 1,700.00 Fees and Costs: 427.25 Attorneys Fees: 2,271.50 TOTAL: \$\frac{115,582.52}{2.271.50} Principal Judgment Amount Shall Bear Interest at 12% per annum. Attorney fees, costs and other recovery amounts shall bear interest at 12% per annum. Attorney for Judgment Creditors: Noelle E. Dwarzski McKENZIE ROTHWELL BARLOW & COUGHRAN, P.S. Attorney for Judgment Debtor: None This is an action for breach of a collective bargaining agreement. In accordance with Plaintiffs' motion, the Court having considered the pleadings, documents and declarations on file, finds as follows: FINDINGS OF FACT 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. 2. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | _ | Contributions: \$ 69,328.45 | | | | | | | |
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| on file, finds as follows: FINDINGS OF FACT 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. 2. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 11 | This is an action for breach of a collective bargaining agreement. In accordance with | | | | | | | |
| 15 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of 16 Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with 17 Welfare & Pension Administration Service, Inc. concludes that said declarations are 18 accurate. 19 2. The Court concludes that an Order of Default was entered on July 7, 2016 20 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 12 | Plaintiffs' motion, the Court having considered the pleadings, documents and declarations | | | | | | | |
| 15 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of 16 Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with 17 Welfare & Pension Administration Service, Inc. concludes that said declarations are 18 accurate. 19 2. The Court concludes that an Order of Default was entered on July 7, 2016 20 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. 21 | 13 | on file, finds as follows: | | | | | | | |
| 15 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of 16 Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with 17 Welfare & Pension Administration Service, Inc. concludes that said declarations are 18 accurate. 19 2. The Court concludes that an Order of Default was entered on July 7, 2016 20 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. 21 | 14 | The state of the s | | | | | | | |
| 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. 2. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 1.7 | FINDINGS OF FACT | | | | | | | |
| 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. 2. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 15 | | | | | | | | |
| Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 10,0000 | 1. The Court, having considered the declaration of Noelle E. Dwarzski, one of | | | | | | | |
| Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 16 | | | | | | | | |
| Welfare & Pension Administration Service, Inc. concludes that said declarations are accurate. 19 2. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. 21 | | Plaintiffs' attorneys and the declaration of Darlene Sweet-Gugel, Data Controller with | | | | | | | |
| accurate. 19 2. The Court concludes that an Order of Default was entered on July 7, 2016 20 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. 21 | 17 | W 10 0 Design Administration Complete The concludes that said declarations are | | | | | | | |
| 20 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. 21 | | Welfare & Pension Administration Service, Inc. concludes that said declarations are | | | | | | | |
| 20 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. 21 | 18 | a a construction | | | | | | | |
| 2. The Court concludes that an Order of Default was entered on July 7, 2016 duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 10 | accurate. | | | | | | | |
| duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 19 | The Court concludes that an Order of Default was entered on July 7, 2016 | | | | | | | |
| duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | 20 | | | | | | | | |
| 21 | 20 | duly adjudging defendant, Lundeen Simonson Incorporated, to be in default. | | | | | | | |
| | 21 | | | | | | | | |
| 22 | | | | | | | | | |
| | 22 | | | | | | | | |

DEFAULT JUDGMENT - 4

McKENZIE ROTHWELL BARLOW & COUGHRAN, P.S. 1325 FOURTH AVE., SUITE 910 SEATTLE, WA 98101 (206) 224-9900

The Court finds that a total of \$112,883.77 in contributions, interest, 1 3. 2 liquidated damages, accounting fees, and referral attorney fees are due and owing for the 3 period of January 2014 through September 2016. 4. The Court finds that \$427.25 in costs, including filing, service and 4 miscellaneous fees, were incurred in this action and are recoverable under the agreements. 5 The Court finds that reasonable attorney fees for collection of delinquent 5. 6 7 contributions is \$2,271.50. The Court hereby finds that plaintiffs are entitled to a default judgment 8 against the defendant, Lundeen Simonson Incorporated, in the following amounts for the 9 period of January 2014 through September 2016: 10 \$ 69,328.45 11 Contributions: 16,200.77 Interest: 15,923.88 Liquidated Damages: 12 9,730.67 Audit Fees: 1,700.00 13 Referral Attorney Fees: Fees and Costs: 427.25 2,271.50 14 Attorneys Fees: 115,582.52 TOTAL: 15 16 CONCLUSIONS OF LAW The Court finds that the Plaintiffs are entitled to a default judgment against 17 7. the defendant, Lundeen Simonson Incorporated, in the amount of \$115,582.52 as a matter of 18 19 law. 20 1111 21

DEFAULT JUDGMENT - 4

McKENZIE ROTHWELL BARLOW & COUGHRAN, P.S. 1325 FOURTH AVE., SUITE 910 SEATTLE, WA 98101 (206) 224-9900

5000 331 rl191202

22

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| 1 | |
|----|---|
| 1 | JUDGMENT |
| 2 | 8. It is ORDERED, ADJUDGED and DECREED that a default judgment be |
| 3 | entered against defendant, Lundeen Simonson Incorporated, consistent with the Findings of |
| 4 | Fact and Conclusions of Law. |
| 5 | |
| 6 | DATED this day of, 2016. |
| 7 | |
| 8 | 8 <u>2 100 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 </u> |
| 9 | King County Superior Court Commissioner |
| 10 |) |
| 11 | Presented by: |
| 12 | /s/ Noelle E. Dwarzski Noelle E. Dwarzski, WSBA #40041 |
| 13 | McKENZIE ROTHWELL BARLOW & COUGHRAN, P.S. |
| 14 | Attorneys for Plaintiffs |
| 15 | |
| 16 | |
| 17 | e. |
| 18 | |
| 19 | |
| 20 | |
| 21 | |
| 22 | |

DEFAULT JUDGMENT - 4

McKENZIE ROTHWELL BARLOW & COUGHRAN, P.S. 1325 FOURTH AVE., SUITE 910 SEATTLE, WA 98101 (206) 224-9900

5000 331 rl191202

King County Superior Court Judicial Electronic Signature Page

Case Number:

16-2-12579-4

Case Title:

BOARD OF TRUSTEES OF THE CEMENT ET AL VS

LUNDEEN SIMONSON INC ET ANO

Document Title:

DEFAULT JUDGMENT

Signed by:

Commissioner Henry Judson

Date:

12/19/2016 4:05:35 PM

Judge/Commissioner: Commissioner Henry Judson

This document is signed in accordance with the provisions in GR 30.

Certificate Hash:

252A2613AD1DF6F184ADD5EFD5753C76D53A5CB8

Certificate effective date: 7/16/2014 12:09:30 PM

Certificate expiry date:

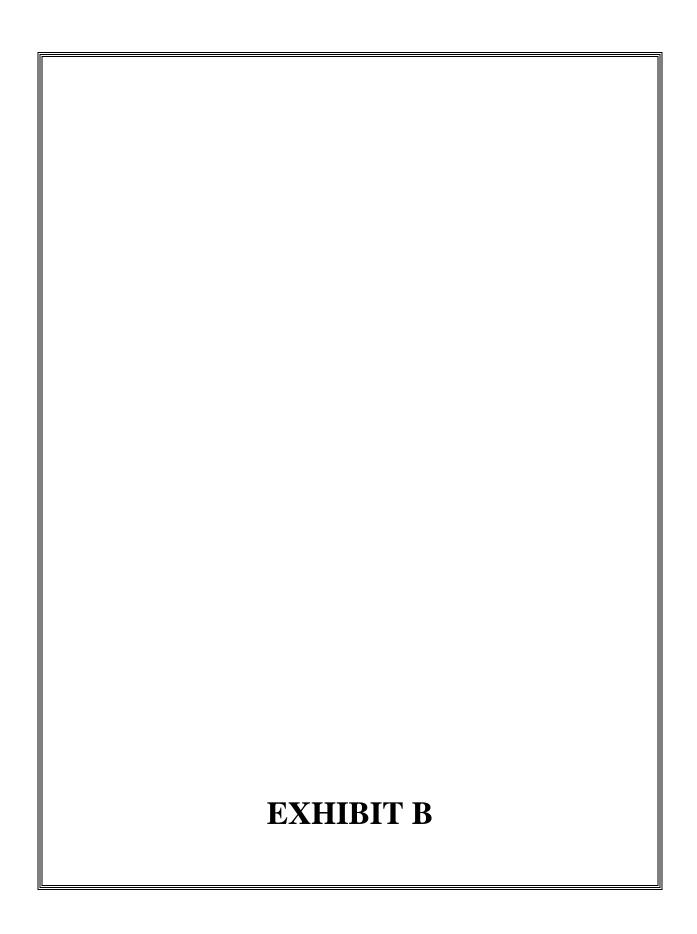
7/16/2019 12:09:30 PM

Certificate Issued by:

C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,

O=KCDJA, CN="Henry Judson: WPypi5D74hGx6nH1YIhwmw=="

Page 5 of 5





Welfare & Pension Administration Service, Inc.

7525 SE 24th Street, Suite 200, Mercer Island, WA 98040 P.O. Box 34203 Seattle, WA 98124 Telephone (206) 441-7574 or (800) 732-1121 • FAX (206) 695-0964

Random Fringe Benefit Contributions Compliance Report For Plan Administration Use Only

The Board of Trustees Cement Masons and Plasterers Trust Funds

Re: Lundeen Simonson, Inc.

Account Numbers: 48081, 48082 & 48083

As requested by the Board of Trustees of the above-mentioned trust funds we looked at the payroll records of Lundeen Simonson, Inc. This task was undertaken in order to assist the Board of Trustees in determining whether the employer is in general compliance with the collective bargaining agreement (CBA) and Plan documents requiring that certain fringe benefit contributions be made to the respective Trust Funds.

On June 7, 2018, we received payroll records from Connie Simonson, Office Manager for Lundeen Simonson, Inc. On July 17, 2018 and July 25, 2018, we received additional records. Following is a description of the various measures undertaken in compiling the information for our report.

- Ms. Simonson provided us with payroll summaries, an employee list, a job list, time by job summaries, timecards, certified payroll, State quarterly payroll tax reports and trust remittance reports. These records covered the period March 2015 through May 2018.
- We identified all employees by classifications appearing on the various payroll records, reference to wage rates and discussions with the employer.
- We compared the effective rates of pay to the hours and wages recorded and paid per the payroll summaries and certified payroll. These recorded hours and wages were then compared to the hours reported to the Trusts.
- The unreported hours were due to the employer not submitting the required remittance reports with payment, reporting employees to the wrong local and not reporting all employees performing work covered by the CBA.
- The unreported hours resulted in an underpayment of contributions of \$126,131.77, liquidated damages of \$15,504.45, and interest charges of \$53,669.63 as supported by the attached Summary Schedule A-1 and related Supporting Schedules. Accounting fees amounted to \$4,555.50 for a total due of \$199,861.36.

The Board of Trustees Cement Masons and Plasterers Trust Funds Page 2 of 2

- The overreported hours were a result of reporting employees to the wrong local.
- The overreported hours resulted in an overpayment of contributions of (\$9,101.04) as supported by the attached Summary Schedule A-2 and related Supporting Schedules.
- The percentage of improperly paid contributions amounted to 77.00% for the period covered by our report.

We are providing this information to the Board of Trustees for their use in the management of above referenced employee contribution practices of Lundeen Simonson, Inc., and it is not to be shared with third parties.

August 21, 2018

PV

Trust Fund: Cement Masons and Plasterers Trust Funds

Employer: Lundeen Simonson, Inc.

Account #'s: 48081, 48082 & 48083

Summary of Reporting Exceptions, Liquidated Damages And Interest Due

March 2015 through May 2018

| Year | | Hours | Contributions | | I | Liquidated | | | | |
|-------------------|-----------|-------------------|-------------------|------------|----------------|------------|-----------------|-----------|--------------|------------|
| Account# Schedule | | Exceptions | Exceptions | | <u>Damages</u> | | <u>Interest</u> | | <u>Total</u> | |
| 20 | 15 | | | | | | | | | |
| 48081 | B-1 | 380.00 | \$ | 5,681.01 | \$ | 759.41 | \$ | 2,688.84 | \$ | 9,129.26 |
| 48082 | C-1 | 7,242.00 | | 52,374.46 | | 6,284.94 | | 26,665.59 | | 85,324.99 |
| 48083 20 | D-1 | 2,549.00 | | 18,261.02 | | 2,191.32 | | 9,711.11 | | 30,163.45 |
| 48082 | E-1 | 900.50 | | 6,555.64 | | 786.68 | | 2,623.04 | | 9,965.36 |
| 48082 | F-1 | 632.00 | | 4,853.76 | | 611.94 | | 1,586.11 | | 7,051.81 |
| 48083 | G-1 | 1,060.50 | | 7,720.44 | | 933.55 | | 2,943.76 | | 11,597.75 |
| 48083 20 | H-1 17 | 1,561.50 | | 11,992.32 | | 1,481.16 | | 3,532.11 | | 17,005.59 |
| 48082 | I-1 | 499.00 | | 3,832.32 | | 606.53 | | 753.42 | | 5,192.27 |
| 48083 | J-1 | 1,935.00 | | 14,860.80 | | 1,848.93 | | 3,165.65 | | 19,875.38 |
| | | 16,759.50 | \$ | 126,131.77 | \$ | 15,504.46 | \$ | 53,669.63 | \$ | 195,305.86 |

Breakdown by Fund:

| , | <u>Underpaid</u> |
|----|------------------|
| \$ | 120,364.66 |
| | 2,724.61 |
| | 3,042.50 |
| | |
| \$ | 126,131.77 |
| | \$ |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48081 Rate Code: 001

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

B-1

| Health and Welfare Retirement Fund Apprentice Training Fund | Total Due or Overpaid | Total Liquidated Damages Interest Charges | Health and Welfare Retirement Fund Apprentice Training Fund | Reported Hours Exceptions | |
|---|-----------------------|---|---|---------------------------|--------------|
| Fund Type 001 002 012 | | B-2 B-2 | | B-3 | Schedule |
| Trust Fund Contribution Rates | | | | | January |
| bution Rates | | | | | February |
| 7.08 7.17 0.70 | \$2,461.77 | \$1,517.43 198.56 745.78 | \$718.62 727.76 71.05 | 101.50 | March |
| 7.08 7.17 0.70 | \$273.98 | \$134.55 75.00 <u>64.43</u> | Detail \$63.72 64.53 6.30 | 9.00 | <u>April</u> |
| 7.08 7.17 0.70 | \$6,393.51 | \$4,029.03 485.85 1,878.63 | Detail of Contributions Due or Overpaid on 3.72 \$1,908.06 \$0.00 \$0.4 4.53 1,932.32 0.00 0.6 6.30 188.65 0.00 0.0 | 269.50 | May |
| 7.08 7.17 0.70 | \$0.00 | \$0.00 0.00 0.00 | s Due or Over \$0.00 0.00 0.00 | 0.00 | June |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 0.00 0.00 | | 0.00 | July |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 0.00 | Reporting Exceptions 0 \$0.00 0 0.00 0 0.00 | 0.00 | August |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 0.00 | \$0.00 0.00 | 0.00 | September |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 0.00 | 0.00 | 0.00 | October |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 0.00 | \$0.00 0.00 | 0.00 | November |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 0.00 0.00 | \$0.00 0.00 0.00 | 0.00 | December |
| | \$9,129.26 | \$5,681.01 759.41 2,688.84 | \$2,690.40 2,724.61 266.00 | 380.00 | Total |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Rate Code: 001 Account#: 48081

Schedule:

B-2

| | Case 2:20-cv-00786-RSM | M Document | 1 Filed 05/26/20 | Page 19 of 80 |
|------------------|---|--------------------|---|---|
| Interest Charges | Number of Delinquent Months Health and Welfare Retirement Fund Apprentice Training Fund | Liquidated Damages | Health and Welfare Retirement Fund Apprentice Training Fund | Contributions Due, Schedule: Health and Welfare Retirement Fund Apprentice Training Fund |
| | Int. Rates 18% 12% 18% | | LD Rates 12% 12% 12% | B -1 |
| | Interest Charges by Fund | | Liquidated Damages by Fund | January |
| | by Fund 39 | | ges by Fund | February |
| 745.78 | \$420.39 \$83.83 \$41.56 | 198.56 | \$86.23 87.33 25.00 | March \$718.62 727.76 71.05 |
| 64.43 | \$36.32 24.52 3.59 | 75.00 | \$25.00 25.00 25.00 | <u>April</u> \$63.72 64.53 6.30 |
| 1,878.63 | y Fund 39 38 37 36 35 34 33 32 31 \$420.39 \$36.32 \$1,058.97 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$ 283.83 24.52 714.96 0.00 0.00 0.00 0.00 0.00 0.00 41.56 3.59 104.70 0.00 0.00 0.00 0.00 0.00 | 485.85 | \$228.97 231.88 25.00 | <u>Мау</u> \$1,908.06 1,932.32 188.65 |
| 0.00 | \$0.00 0.00 0.00 | 0.00 | \$0.00 0.00 0.00 | <u>June</u> \$0.00 0.00 0.00 |
| 0.00 | \$0.00 0.00 0.00 | 0.00 | \$0.00 0.00 0.00 | <u>Ји</u> lу \$0.00 0.00 0.00 |
| 0.00 | \$0.00 0.00 0.00 | 0.00 | \$0.00 0.00 0.00 | <u>August</u> <u>\$</u> \$0.00 0.00 0.00 |
| 0.00 | \$0.00 0.00 0.00 | 0.00 | \$0.00 0.00 | <u>September</u> \$0.00 0.00 0.00 |
| 0.00 | \$0.00 0.00 0.00 | 0.00 | \$0.00 0.00 | October 1 \$0.00 0.00 0.00 |
| 0.00 | \$0.00 0.00 0.00 | 0.00 | \$0.00 0.00 | November \$0.00 0.00 0.00 |
| 0.00 | \$0.00 0.00 0.00 | 0.00 | \$0.00 0.00 0.00 | <u>December</u> \$0.00 0.00 0.00 |
| 2,688.84 | \$1,515.68 1,023.31 149.85 | <u>759.41</u> | \$340.20 344.21 75.00 | Total \$2,690.40 2,724.61 266.00 |

Note: Interest is charged at the rate shown above on a per annum basis from the 15th of the month following the period listed above for which hours were worked until July 15, 2018.

Case 2:20-cv-00786-RSM Document 1 Filed 05/26/20 Page 20 of 80

Account#: 48081 Rate Code: 001

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

В-3

Reportable Hours Hours Reported Reporting Exceptions

Detail of Reporting Exceptions For the Period March 2015 through December 2015

| Second S | | Case 2. | 20-67-0 | 0100-RS | טט ואופ | Junent 1 | . Fileu | 05/20/20 | Paye | 20 01 |
|--|--|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------|------------------------|--------------------------|----------------------|
| | Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Simonson, S XXX-X | Simonson, B XXX-XX | Salinas, E XXX-XX | Ruonavaara, J XXX-X | Murley, M XXX-X | Mattila, S XXX-XX | Mattila, C XXX-XX | Lever, S XXX-XX | Employee Name SSN |
| 2008.50 2009 | | | | | | | | | | Key |
| 208.50 192.50 192.50 192.50 192.50 192.50 192.50 192.50 192.50 100.50 10 | 3 2 1 | 3 2 1 | 3 2 1 | 3 2 1 | 3 2 1 | 3 2 1 | 3 | 3 2 1 | 2 2 2 | <u>January</u> |
| 208.50 199.50 199.50 51.00 51.00 0.000 0.000 100.50 100.50 100.50 100.50 100.50 100.50 100.50 100.50 100.50 100.50 0.000 | | | | | | | | | | February |
| 51.00 51.00 100.50 100. | 101.50 0.00 101.50 | | | 53.00 0.00 53.00 | 17.50 0.00 17.50 | 31.00 0.00 31.00 | | | | March |
| All | 208.50 199.50 9.00 | | | | | | | | 208.50 199.50 9.00 | April |
| AMERICAL MANAGEMENT MANAG | 432.50 163.00 269.50 | 203.00 163.00 40.00 | 78.00 0.00 78.00 | | | | 100.50 0.00 100.50 | 51.00 0.00 51.00 | | <u>May</u> |
| August Actions Marines Marin | 0.00 0.00 | | | | | | | | | June |
| November | 0.00 0.00 | | | | | | | | | <u>July</u> |
| 0.00 0.00 0.00 0.00 0.00 0.00 | 0.00 0.00 0.00 | | | | | | | | | <u>August</u> S |
| 0.00 0.00 0.00 0.00 | 0.00 0.00 0.00 | | | | | | | | | September |
| 0.00 0.00 | 0.00 0.00 0.00 | | | | | | | | | October |
| | 0.00 0.00 0.00 | | | | | | | | | November |
| 208.50 199.50 9.00 51.00 51.00 51.00 51.00 100.50 31.00 31.00 31.00 17.50 0.00 17.50 0.00 17.50 0.00 17.50 0.00 17.50 0.00 17.50 0.00 178.00 0.00 53.00 0.00 53.00 | 0.00 0.00 0.00 | | | | | | | | | December |
| | 742.50 362.50 380.00 | 203.00 163.00 40.00 | 78.00 0.00 78.00 | 53.00 0.00 53.00 | 17.50 0.00 17.50 | 31.00 0.00 31.00 | 100.50 0.00 100.50 | 51.00 0.00 51.00 | 208.50 199.50 9.00 | Total |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48082 Rate Code: 066

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

Schedule:

C-1

| | . 500 | Jannonie 1 | 1 1104 00/20/20 | | 90 _ | _ 0. | 00 |
|-------------------------------|-----------------------|---|-----------------|---|---|---------------------------|------------------|
| Health and Welfare | Total Due or Overpaid | Total Liquidated Damages Interest Charges | | Health and Welfare | | Reported Hours Exceptions | |
| Fund Type 001 | | C-2 C-2 | | | | C-3 | Schedule |
| Trust Fund Contribution Rates | | | | | | | January |
| ibution Rates | | | | | | | February |
| 7.08 | \$0.00 | \$0.00 0.00 | | \$0.00 | | 0.00 | March |
| 7.08 | \$610.23 | \$361.08 43.33 205.82 | | \$361.08 | Detail | 51.00 | April |
| 7.08 | \$9,083.99 | \$5,423.28 650.79 3,009.92 | | \$5,423.28 | of Contributio | 766.00 | May |
| 7.08 | \$10,806.70 | \$6,510.06 781.21 3,515.43 | | \$6,510.06 | ons Due or Ov | 919.50 | <u>June</u> |
| 7.28 | \$17,334.69 | \$10,537.80 1,264.54 5,532.35 | | \$10,537.80 | erpaid on Rep | 1,447.50 | <u>July</u> |
| 7.28 | \$16,850.29 | \$10,337.60 1,240.51 <u>5,272.18</u> | | \$6,510.06 \$10,537.80 \$10,337.60 \$8,364.72 | Detail of Contributions Due or Overpaid on Reporting Exceptions | 1,420.00 | August |
| 7.28 | \$13,509.03 | \$8,364.72 1,003.77 4,140.54 | | \$8,364.72 | ions | 1,149.00 | September |
| 7.28 | \$1,257.99 | \$786.24 94.35 <u>377.40</u> | | \$786.24 | | 108.00 | October |
| 7.28 | \$9,277.19 | \$5,853.12 702.37 2,721.70 | | \$786.24 \$5,853.12 \$4,200.56 | | 804.00 | October November |
| 7.28 | \$6,594.88 | \$4,200.56 504.07 1,890.25 | | \$4,200.56 | | 577.00 | December |
| age 21 | \$85,324.99 | \$52,374.46 6,284.94 26,665.59 | | \$52,374.46 | | 7,242.00 | Total |
| コロワフト | | | | | | | |

Liquidated Damages Cement Masons & Plasterers Trust Funds Interest Charges Number of Delinquent Months Health and Welfare Rate Code: 066 Lundeen Simonson, Inc. Health and Welfare Health and Welfare Contributions Due, Schedule: Account#: C-1 18% Int. Rates LD Rates 12% Liquidated Damages by Fund Interest Charges by Fund January February Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund 39 March \$0.00 \$0.00 \$0.00 0.00 0.00 38 \$361.08 \$205.82 Liquidated Damanges and Interest Charges Due on Unpaid Contributions \$43.33 205.82 43.33 April 37 \$3,009.92 \$5,423.28 3,009.92 \$650.79 650.79 May 36 \$3,515.43 \$6,510.06 \$10,537.80 \$10,337.60 3,515.43 \$781.21 781.21 June 35 \$5,532.35 \$1,264.54 5,532.35 1,264.54 July 34 \$5,272.18 \$1,240.51 5,272.18 1,240.51 August 33 \$4,140.54 \$1,003.77 \$8,364.72 September 4,140.54 1,003.77 32 \$786.24 \$377.40 October 377.40 \$94.35 94.35 31 \$2,721.70 \$5,853.12 November 2,721.70 \$702.37 702.37 30 Schedule: \$1,890.25 \$4,200.56 December 1,890.25 \$504.07 504.07

\$6,284.94

C-2

\$52,374.46

Total

26,665.59

\$26,665.59

6,284.94

| | | Case 2: | 20-CV-0 | U786-RS | SIVI DOG | cument 1 | Filed | 05/26/20 | Page | 23 OT |
|---|--------------------------|--------------------------|---------------------------------|------------------------|--------------------------|--------------------------|---------------------------|------------------------|--------------------------|----------------------|
| Niskanen, R XXX-XX | Murley, N XXX-XX | Murley, M XXX-XX | Miles, C XXX-XX- | Mattila, S XXX-XX | Mattila, C | Lever, S XXX-XX | Johnson, M XXX-X | Grageda, J XXX-XX | Austin, S XXX-XX | Employee Name SSN |
| | | | | | | | | | | <u>Key</u> |
| 3 2 1 | 3 2 1 | 3 2 1 | 3 2 | 3 2 | 3 2 | 3 2 - | 3 2 1 | 3 | 3 2 | January |
| | | | | | | | | | | February |
| | | | | | | | | | | March |
| | | | | | 51.00 0.00 51.00 | | | | | <u>April</u> |
| | | 135.00 0.00 135.00 | 84.00 0.00 84.00 | 29.50 0.00 29.50 | 124.50 0.00 124.50 | | | | | May |
| 27.00 0.00 27.00 | | | 211.00 0.00 211.00 | | 179.00 0.00 179.00 | 160.00 0.00 160.00 | | | | <u>June</u> |
| 162.00 0.00 162.00 | 65.00 0.00 65.00 | 65.00 0.00 65.00 | 167.00 0.00 167.00 | | 165.50 0.00 165.50 | 40.00 0.00 40.00 | | | | <u>July</u> |
| 40.00 0.00 40.00 | 173.00 0.00 173.00 | 153.00 0.00 153.00 | | | 159.00 0.00 159.00 | 100.00 0.00 100.00 | | 18.00 0.00 18.00 | 193.50 0.00 193.50 | August |
| 80.50 0.00 80.50 | | 15.00 0.00 15.00 | | | 32.50 0.00 32.50 | 39.00 0.00 39.00 | | 69.00 0.00 69.00 | | September |
| | | | | | | | 120.00 80.00 40.00 | | | October |
| | | 175.50 0.00 175.50 | | | | | 195.50 0.00 195.50 | | | November |
| | | 90.00 0.00 90.00 | | | | 91.00 0.00 91.00 | 90.00 0.00 90.00 | | | December |
| 309.50 isi 0.00 isi 309.50 Evaluati | 238.00 Co | 633.50 0.00 633.50 | 462.00 Q 462.00 Q | 29.50 0.00 29.50 | 711.50 0.00 711.50 | 430.00 0.00 430.00 | 405.50 80.00 325.50 | 87.00 0.00 87.00 | 193.50 0.00 193.50 | Total |

Detail of Reporting Exceptions For the Period March 2015 through December 2015 Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

C-3

Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Key:

Account#: 48082 Rate Code: 066

Exhibit B to Complaint - Page 23

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| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX | Simonson, Z XXX-XX | Simonson, S XXX-XX | Simonson, R XXX-XX | Simonson, I XXX-XX | Simonson, J XXX-XX- | Simonson, H XXX-XX | Simonson, B XXX-XX | Sanchez, R XXX-XX | Salinas, E XXX-XX | Ruonavaara, J XXX-XX | Rodriguez, M XXX-XX |
|--|----------------------------------|---|--------------------------|---------------------------|----------------------------|------------------------|------------------------|------------------------|---------------------------|----------------------------|--------------------------|----------------------------|
| 3 2 1 | ω ₁ ν – | ω ιν | ω ν – | ω N — | 3 2 1 | 3 2 - | 3 2 – | ω ν – | 3 2 1 | 3 2 – | ω ιν | w 22 |
| 0.00 0.00 0.00 | | | | | | | | | | | | |
| 51.00 0.00 51.00 | | | | | | | | | | | | |
| 766.00 0.00 766.00 | | 146.00 0.00 146.00 | | 49.50 0.00 49.50 | | | | | | | 179.50 0.00 179.50 | 18.00 0.00 18.00 |
| 1,208.00 288.50 919.50 | | 129.00 0.00 129.00 | | 160.00 0.00 160.00 | 140.00 128.50 11.50 | | | | | 162.00 160.00 2.00 | 40.00 0.00 40.00 | |
| 1,447.50 0.00 1,447.50 | | 203.00 0.00 203.00 | 167.50 0.00 167.50 | 114.50 0.00 114.50 | 108.00 0.00 108.00 | | | | | 190.00 0.00 190.00 | | |
| 1,420.00 0.00 1,420.00 | 132.50 0.00 132.50 | 159.00 0.00 159.00 | 78.00 0.00 78.00 | | 79.00 0.00 79.00 | 21.00 0.00 21.00 | | | | 114.00 0.00 114.00 | | |
| 1,149.00 0.00 1,149.00 | 158.00 0.00 158.00 | 62.50 0.00 62.50 | 67.00 0.00 67.00 | | 58.00 0.00 58.00 | | 47.50 0.00 47.50 | | 80.00 0.00 80.00 | 200.00 0.00 200.00 | | 240.00 0.00 240.00 |
| 188.00 80.00 108.00 | | | 68.00 0.00 68.00 | | | | | | | | | |
| 1,023.00 219.00 804.00 | 151.00 110.00 41.00 | | | | | | | | 160.00 0.00 160.00 | 170.00 109.00 61.00 | | 171.00 0.00 171.00 |
| 749.00 172.00 577.00 | | | | 74.00 14.00 60.00 | | | | 54.00 0.00 54.00 | 150.00 58.00 92.00 | | | 200.00 100.00 100.00 |
| 8,001.50 D 759.50 : 7,242.00 : | 441.50 E 110.00 G 331.50 C | 699.50 D 699.50 t 699.50 c | 380.50 0.00 380.50 | 398.00 14.00 384.00 | 385.00 128.50 256.50 | 21.00 0.00 21.00 | 47.50 0.00 47.50 | 54.00 0.00 54.00 | 390.00 58.00 332.00 | 836.00 269.00 567.00 | 219.50 0.00 219.50 | 629.00 100.00 529.00 |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48083 Rate Code: 066

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

Schedule:

D-1

| | | | 54 55/25/20 | | - ° | J J. | - |
|-------------------------------|-----------------------|---|-------------|--------------------|---|---------------------------|------------------|
| Health and Welfare | Total Due or Overpaid | Total Liquidated Damages Interest Charges | | Health and Welfare | | Reported Hours Exceptions | |
| Fund Type 001 | | D-2 D-2 | | | | D-3 | Schedule |
| Trust Fund Contribution Rates | | | | | | | January |
| ibution Rate | | | | | | | February |
| s 7.08 | \$3,090.28 | \$1,812.48 217.50 1,060.30 | | \$1,812.48 | | 256.00 | March |
| 7.08 | \$5,551.85 | \$3,285.12 394.21 1,872.52 | | \$3,285.12 | Detail | 464.00 | April |
| 7.08 | \$3,866.03 | \$2,308.08 276.97 1,280.98 | | \$2,308.08 | of Contributic | 326.00 | May |
| 7.08 | \$5,083.08 | \$3,062.10 367.45 1,653.53 | | \$3,062.10 | ns Due or Ov | 432.50 | <u>June</u> |
| 7.28 | \$4,377.08 | \$2,660.84 319.30 1,396.94 | | \$2,660.84 | Detail of Contributions Due or Overpaid on Reporting Exceptions | 365.50 | <u>July</u> |
| 7.28 | \$0.00 | \$0.00 0.00 <u>0.00</u> | | \$0.00 | rting Excepti | 0.00 | August |
| 7.28 | \$4,455.97 | \$2,759.12 331.09 1,365.76 | | \$0.00 \$2,759.12 | ons | 379.00 | August September |
| 7.28 | \$698.88 | \$436.80 52.42 209.66 | | \$436.80 | | 60.00 | <u>October</u> |
| 7.28 | \$0.00 | \$0.00 0.00 <u>0.00</u> | | \$0.00 | | 0.00 | October November |
| 7.28 | \$3,040.28 | \$1,936.48 232.38 <u>871.42</u> | | \$1,936.48 | | 266.00 | December |
| | \$30,163.45 | \$18,261.02 2,191.32 <u>9,711.11</u> | | \$18,261.02 | | 2,549.00 | <u>Total</u> |
| 05 | | | | | | | |

Case 2:20-cv-00786-RSM Document 1 Filed 05/26/20 Page 26 of 80

Rate Code: 066 Account#: 48083 Lundeen Simonson, Inc. Cement Masons & Plasterers Trust Funds

January

February

March

April

May

June

July

August

September

October

November

December

Total

Schedule:

D-2

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2015

| | 0400 2:20 01 00 100 HOM | Doddinone 2 11 | 100 00/20/20 | 1 ago 20 01 00 |
|------------------|---|--------------------|--|--|
| Interest Charges | Number of Delinquent Months Health and Welfare | Liquidated Damages | Health and Welfare | Contributions Due, Schedule: Health and Welfare |
| | Note: Liquic Interest Charges by Fund 39 Int. Rates | | LD Rates Liquidated Damages by Fund 12% | <u>P</u> |
| 1,060.30 | 9 38 \$1,060.30 | 217.50 | \$217.50 | \$1,812.48 |
| 1,872.52 | es are calculate 8 37 \$1,872.52 | 394.21 | \$394.21 | \$3,285.12 |
| 1,280.98 | ed at the percer 7 36 \$1,280.98 : | 276.97 | \$276.97 | \$2,308.08 |
| 1,653.53 | entage rate as sl 6 35 \$1,653.53 | <u>367.45</u> | \$367.45 | \$3,062.10 |
| 1,396.94 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund. y Fund 39 38 37 36 35 34 33 32 31 \$1,060.30 \$1,872.52 \$1,280.98 \$1,653.53 \$1,396.94 \$0.00 \$1,365.76 \$209.66 \$ | 319.30 | \$319.30 | \$2,660.84 |
| 0.00 | \$25, which 3 \$0.00 | 0.00 | \$0.00 | \$0.00 |
| 1,365.76 | 5, whichever is greater, 33 32 \$0.00 \$1,365.76 | 331.09 | \$331.09 | \$0.00 \$2,759.12 |
| 209.66 | per month per f | 52.42 | \$52.42 | \$436.80 |
| 0.00 | und. 30 \$0.00 | 0.00 | \$0.00 | \$0.00 |
| 871.42 | \$871.42 | 232.38 | \$232.38 | \$0.00 \$1,936.48 |
| 9,711.111 | \$9,711.11 | 2,191.32 | \$2,191.32 | \$18,261.02 |

Note: Interest is charged at the rate shown above on a per annum basis from the 15th of the month following the period listed above for which hours were worked until July 15, 2018.

| | | Case 2. | 20-CV-U | 0100-R3 | טטט ואוכ | Juillelit 1 | . Fileu | 05/20/20 | Paye | 27 01 |
|------------------------|------------------------|-------------------------|--------------------------|------------------------|--------------------------|--------------------------|--------------------------|--------------------------|------------------------|----------------------|
| Simonson, T | Simonson, G XXX-X | Simonson, B XXX-XX | Sears, J XXX-XX | Sanchez, R XXX-XX- | Salinas, E XXX-XX | Ruonavaara, J XXX-XX | Murley, N XXX-XX- | Murley, M XXX-XX | Johnson, M XXX-XX- | Employee Name SSN |
| | | | | | | | | | | <u>Key</u> |
| 3 | 3 2 1 | 3 2 1 | 3 | 3 2 1 | 3 2 | 3 2 1 | 3 | 3 2 1 | 3 2 1 | January |
| | | | | | | | | | | February |
| 40.00 0.00 40.00 | 19.00 0.00 19.00 | | | | 40.00 0.00 40.00 | 74.00 0.00 74.00 | | 83.00 0.00 83.00 | | March |
| | | | | | 211.00 0.00 211.00 | 160.00 0.00 160.00 | | 93.00 0.00 93.00 | | <u>April</u> |
| 77.00 0.00 77.00 | | | 63.50 0.00 63.50 | | 141.00 0.00 141.00 | | | 44.50 0.00 44.50 | | May |
| | | | 216.50 0.00 216.50 | | | | 88.00 0.00 88.00 | 128.00 0.00 128.00 | | <u>June</u> |
| | | | 110.00 0.00 110.00 | | | | 130.50 0.00 130.50 | 125.00 0.00 125.00 | | July |
| | | | | | | | 19 19 | 1 1 | | August September |
| | | | | | | | 197.00 0.00 197.00 | 182.00 0.00 182.00 | | |
| | | | | | | | 30.00 0.00 30.00 | 30.00 0.00 30.00 | | October November |
| | | 40.00 0.00 40.00 | | 40.00 0.00 40.00 | | | | 100.00 0.00 100.00 | 86.00 0.00 86.00 | <u>December</u> |
| 0.00 Lybid | 19.00 Co | 40.00 40.00 40.00 | 390.00 0.00 390.00 | 40.00 40.00 | 392.00 0.00 392.00 | 234.00 0.00 234.00 | 445.50 0.00 445.50 | 785.50 0.00 785.50 | 86.00 0.00 86.00 | Total |
| | | | | | | | | | | |

Detail of Reporting Exceptions For the Period March 2015 through December 2015

Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Key:

Account#: 48083 Rate Code: 066

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

D-3

Exhibit B to Complaint - Page 27

| rotat k eportitig exceptions | Total Donostino Evantions | Total Hours Reported | Total Reportable Hours |
|-------------------------------------|---------------------------|----------------------|------------------------|
| u | s | 2 | 1 |
| 230.00 | 256 00 | 0.00 | 256.00 |
| 404.00 | 16100 | 0.00 | 464.00 |
| 320.00 | 326 00 | 0.00 | 326.00 |
| 432.30 | 120 50 | 0.00 | 432.50 |
| 303.30 | 365 50 | 0.00 | 365.50 |
| 0.00 | 000 | 0.00 | 0.00 |
| 3/9.00 | 270.00 | 0.00 | 379.00 |
| 00.00 | 60.00 | 0.00 | 60.00 |
| 0.00 | 000 | 0.00 | 0.00 |
| 200.00 | 266.00 | 0.00 | 266.00 |
| 2,349.00 | 2 4 10 00 | 0.00 | 2,549.00 |

Case 2:20-cv-00786-RSM Document 1 Filed 05/26/20 Page 29 of 80

Lundeen Simonson, Inc. Account#: 48082

Rate Code: 066

Summary of Reportable Hours & Contributions

Schedule:

E-1

Reporting Exceptions

Cement Masons & Plasterers Trust Funds

Health and Welfare Total Health and Welfare Reported Hours Exceptions Interest Charges Total Due or Overpaid Liquidated Damages Fund Type 001 E-2 E-2 E-3 Schedule Trust Fund Contribution Rates \$1,994.72 239.37 867.70 \$1,994.72 \$3,101.79 January 274.00 7.28 February \$0.00 \$0.00 0.00 \$0.00 7.28 0.00\$1,492.40 179.09 604.42 \$1,492.40 \$2,275.91 205.00 March 7.28 \$1,099.28 \$1,099.28 131.91 428.72 \$1,659.91 151.00 <u>April</u> 7.28 Detail of Contributions Due or Overpaid on Reporting Exceptions \$1,322.36 \$884.52 106.14 331.70 \$884.52 121.50 7.28 May \$1,084.72 130.17 390.50 \$1,084.72 \$1,605.39 149.00 7.28 June July August September October November December \$9,965.36 \$6,555.64 786.68 2,623.04 \$6,555.64 900.50 Total

Case 2:20-cv-00786-RSM Document 1 Filed 05/26/20 Page 30 of 80

Rate Code: 066 Account#: 48082 Lundeen Simonson, Inc. Cement Masons & Plasterers Trust Funds Liquidated Damanges and Interest Charges Due on Unpaid Contributions

| | 0000 2.20 01 | 00. | | ···· | Doddinone 1 | 00,20 |
|---------------------|----------------|---------------------|-----------------------------------|--|--------------------|--|
| Interest Charges | | Health and Welfare | Number of Delinquent Months | | Liquidated Damages | Health and Welfare |
| | | Int. Kates | | | | LD Rates 12% |
| <u>867.70</u> | | \$867.70 | Interest Charges by Fund 29 28 | | 239.37 | Liquidated Damages by Fund \$239.37 \$0.00 |
| 0.00 | | \$0.00 | y Fund 27 | Note: Liqui | 0.00 | es by Fund \$0.00 |
| 604.42 | | \$604.42 | 26 | dated damag | 179.09 | \$179.09 |
| 428.72 | | \$428.72 | | es are calcula | 131.91 | \$131.91 |
| 331.70 | | \$331.70 | 25 | ted at the perc | 106.14 | \$106.14 |
| 390.50 | | \$390.50 | 24 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund. | 130.17 | \$130.17 |
| 2,623.04 B to Co | omplaint - Pag | \$2,623.04 3 | 1 | | 786.68 | \$786.68 |

Health and Welfare Contributions Due, Schedule:

돈

\$1,994.72

\$0.00

\$1,492.40

\$1,099.28

\$884.52

\$1,084.72

January

February

March

April

May

June

July

August

September

October

November

December

Total

\$6,555.64

Schedule:

E-2

Note: Interest is charged at the rate shown above on a per annum basis from the 15th of the month following the period listed above for which hours were worked until July 15, 2018.

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

E-3

Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Detail of Reporting Exceptions
For the Period January 2016 through June 2016

Key:

Account#: 48082 Rate Code: 066

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX- | Simonson, R XXX-XX | Simonson, J | Simonson, B XXX-XX | Sanchez, R XXX-XX- | Salinas, E XXX-XX | Rodriguez, M XXX-XX | Murley, M XXX-XX | Johnson, M XXX-XX | Employee Name SSN |
|--|------------------------------|--------------------------|------------------------|------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|----------------------|
| | | | | | | | | | | Key |
| 1 274.00 2 0.00 3 274.00 | 1 36.00 2 0.00 3 36.00 | 2 2 3 | 1 2 2 3 | 1 2 2 3 | 1 38.00 2 0.00 3 38.00 | 1 80.00 2 0.00 3 80.00 | 1 40.00 2 0.00 3 40.00 | 1 40.00 2 0.00 3 40.00 | 1 40.00 2 0.00 3 40.00 | January |
| 0.00 0.00 0.00 | 888 | | | | 888 | 888 | 888 | ŏ ŏ ŏ | 000 | ry February |
| 205.00 0.00 205.00 | | | | | 40.00 0.00 40.00 | 82.50 0.00 82.50 | | | 82.50 0.00 82.50 | March |
| 151.00 0.00 151.00 | | 71.00 0.00 71.00 | | 25.00 0.00 25.00 | | | | | 55.00 0.00 55.00 | April |
| 121.50 0.00 121.50 | | 43.50 0.00 43.50 | | | | 78.00 0.00 78.00 | | | | May |
| 189.00 40.00 149.00 | | | 34.00 0.00 34.00 | | | 155.00 40.00 115.00 | | | | June |
| | | | | | | | | | | July |
| | | | | | | | | | | August |
| | | | | | | | | | | September |
| | | | | | | | | | | October |
| | | | | | | | | | | November |
| | | | | | | | | | | r <u>December</u> |
| 940.50 40.00 900.50 | 36.00 0.00 36.00 | 114.50 0.00 114.50 | 34.00 0.00 34.00 | 25.00 0.00 25.00 | 78.00 0.00 78.00 | 395.50 40.00 355.50 | 40.00 0.00 40.00 | 40.00 0.00 40.00 | 177.50 0.00 177.50 | Total |

Exhibit B to Complaint - Page 31

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48082 Rate Code: 050

Summary of Reportable Hours & Contributions Reporting Exceptions 2016

Schedule:

Έ

| | | | 9 | | |
|---------------------------------------|-----------------------|---|--|---|------------------|
| Health and Welfare Retirement Fund | Total Due or Overpaid | Total Liquidated Damages Interest Charges | Health and Welfare Retirement Fund | Reported Hours Exceptions | |
| Fund Type 001 002 | | F-2 | | Schedule F-3 | Cabadula |
| Trust Fund Contribution Rates | | | | January | Ionnom |
| ntribution Rates | | | | rebruary | Fig. |
| | | | | <u>March</u> | Monch |
| | | | Detail of 0 | April | ^ !:1 |
| | | | Detail of Contributions Due or Overpaid on \$2,155. | <u>May</u> | Max |
| | | | due or C | June | Tuna |
| 7.08 0.60 | \$3,408.05 | \$2,338.56 283.70 785.79 | werpaid on Rep \$2,155.86 182.70 | 304.50 | |
| 7.08 0.60 | \$2,834.99 | \$1,962.24 242.07 630.68 | Reporting Exceptions 86 \$1,808.94 70 153.30 | <u>August</u> 255.50 | A |
| 7.08 0.60 | \$808.77 | \$552.96 86.17 169.64 | s509.76 43.20 | <u>August</u> <u>september</u> 255.50 72.00 | Contombou |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 0.00 | \$0.00 0.00 | 0.00 | |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 | \$0.00 | 0.00 | |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 | \$0.00 0.00 | 0.00 | Danashar |
| | \$7,051.81 | \$4,853.76 611.94 1,586.11 | \$4,474.56 379.20 | 632.00 | T _{ata} |

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Lundeen Simonson, Inc. Account#: 48082 Rate Code: 050

Cement Masons & Plasterers Trust Funds

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2016

F-2

| Number of Delinquent Months Health and Welfare Retirement Fund | Liquidated Damages | Health and Welfare Retirement Fund | Contributions Due, Schedule: Health and Welfare Retirement Fund |
|--|--|---|---|
| Is Int Rates 18% 12% | | LD Rates 12% 12% | F-1 |
| | | Liquidated I | January |
| Interest Charges by Fund | Note: Liqu | LD Rates Liquidated Damages by Fund 12% 12% | ? February |
| | Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund. | | March |
| | s are calculated | | <u>April</u> |
| | at the percent | | May |
| 23 | ge rate as | | June |
| 3 22 \$743.77 42.02 | 283.70 shown above | \$258.70 25.00 | <u>July</u> \$2,155.86 182.70 |
| \$596.95 33.73 | 242.07 or \$25, which | \$217.07 25.00 | <u>August</u> \$1,808.94 153.30 |
| \$160.57 9.07 | $\frac{86.17}{\text{ever is greater.}}$ | \$61.17 25.00 | <u>September</u> \$509.76 43.20 |
| \$0.00 0.00 | 0.00 per month per | \$0.00 | October \$0.00 0.00 |
| \$0.00 0.00 | 0.00 fund. | \$0.00 | November \$0.00 0.00 |
| \$0.00 0.00 | 0.00 | \$0.00 0.00 | <u>December</u> \$0.00 0.00 |
| \$1,501.29 84.82 | 611.94 | \$536.94 75.00 | Total \$4,474.56 379.20 |

785.79

630.68

169.64

0.00

0.00

0.00

Interest Charges

| ument 1 | Filea | 05/26/20 | Page | 34 0 |
|--|------------------------|--------------------------|--------------------------|----------------------|
| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Simonson, R XXX-XX | Simonson, XXX-XX | Salinas, E XXX-XX | Employee Name SSN |
| | | | | Key |
| 2 2 3 | 1 2 3 | 3 | 2 2 3 | <u>Ja</u> 1 |
| | | | | January |
| | | | | February |
| | | | | March |
| | | | | <u>April</u> |
| | | | | May |
| | | | | <u>June</u> |
| 304.50 0.00 304.50 | | 138.00 0.00 138.00 | 166.50 0.00 166.50 | July |
| 255.50 0.00 255.50 | 39.50 0.00 39.50 | 15.00 0.00 15.00 | 201.00 0.00 201.00 | August |
| 72.00 0.00 72.00 | | | 72.00 0.00 72.00 | September |
| 0.00 0.00 0.00 | | | | October |
| 0.00 0.00 0.00 | | | | November |
| 0.00 0.00 0.00 | | | | December |
| 632.00 0.00 632.00 | 39.50 0.00 39.50 | 153.00 0.00 153.00 | 439.50 0.00 439.50 | Total |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

F-3

Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Key:

Account#: 48082 Rate Code: 050

Cement Masons & Plasterers Trust Funds
Lundeen Simonson, Inc.
Account#: 48083
Rate Code: 066

Summary of Reportable Hours & Contributions Reporting Exceptions 2016

Schedule:

G-1

| V-00700-RSIVI | טטנ | ument 1 | Fileu 05/20/20 | Pa | je s | 5 UI | 00 |
|---|-----------------------|---|----------------|-----------------------|---|---------------------------|---------------------------|
| Health and Welfare | Total Due or Overpaid | Total Liquidated Damages Interest Charges | | Health and Welfare | | Reported Hours Exceptions | |
| Fund Type 001 | | G-2 G-2 | | | | G-3 | Schedule |
| Trust Fund Contribution Rates 7.28 7.28 | \$2,088.61 | \$1,343.16 161.18 <u>584.27</u> | | \$1,343.16 | | 184.50 | January |
| tribution Rates | \$0.00 | \$0.00 0.00 <u>0.00</u> | | \$0.00 | | 0.00 | February |
| 7.28 | \$234.68 | \$149.24 25.00 60.44 | | \$149.24 | | 20.50 | March |
| 7.28 | \$818.96 | \$542.36 65.08 211.52 | | \$542.36 | Detail c | 74.50 | April |
| 7.28 | \$4,054.15 | \$2,711.80 325.42 1,016.93 | | \$2,711.80 \$2,973.88 | of Contributio | 372.50 | May |
| 7.28 | \$4,401.35 | \$2,973.88 356.87 1,070.60 | | \$2,973.88 | Detail of Contributions Due or Overpaid on Reporting Exceptions | 408.50 | June |
| | | | | | id on Report | | July |
| | | | | | ing Exceptions | | August September |
| | | | | | | | October November December |
| ogo 25 | \$11,597.75 | \$7,720.44 933.55 2,943.76 | | \$7,720.44 | | 1,060.50 | Total |

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Rate Code: 066 Account#: 48083 Lundeen Simonson, Inc. Cement Masons & Plasterers Trust Funds Liquidated Damanges and Interest Charges Due on Unpaid Contributions

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2016

Contributions Due, Schedule: Health and Welfare

G-1

\$1,343.16

\$0.00

\$149.24

\$542.36

\$2,711.80

\$2,973.88

January

February

March

April

May

June

July

August

September

October

November

December

Total

\$7,720.44

Schedule:

G-2

| | Case 2:20-cv-00786-RSM | 1 Document 1 | Filed 05/26/ |
|------------------|---|--------------------|--|
| Interest Charges | Number of Delinquent Months Health and Welfare | Liquidated Damages | Health and Welfare |
| | Int. Rates | | LD Rates 12% |
| 584.27 | Note: Interest Charges by Fund 29 28 \$584.27 \$0.0 | 161.18 | LD Rates Liquidated Damages by Fund 12% \$161.18 \$0.00 |
| 0.00 | y Fund 27 \$0.00 | 0.00 | ses by Fund \$0.00 |
| 60.44 | \$60.44 | 25.00 | \$25.00 |
| 211.52 | s are calculated 25 \$211.52 | 65.08 | \$65.08 |
| 1,016.93 | ed at the perc 5 2 \$1,016.93 | 325.42 | \$325.42 |
| 1,070.60 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund. y Fund 27 26 25 24 \$0.00 \$60.44 \$211.52 \$1,016.93 \$1,070.60 | 356.87 | \$356.87 |
| 2,943.76 | \$2,943.76 | <u>933.55</u> | \$933.55 |

Note: Interest is charged at the rate shown above on a per annum basis from the 15th of the month following the period listed above for which hours were worked until July 15, 2018.

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Simonson, R XXX-XX | Simonson, XXX-X | Simonson, B XXX-XX | Salinas, E XXX-XX | Murley, M XXX-XX- | Johnson, M XXX-XX- | Employee Name SSN |
|--|--------------------------|------------------------|--------------------------|------------------------|--------------------------------|------------------------------|----------------------|
| | | | | | | | Key |
| 1 184.50 2 0.00 3 184.50 | 3 2 | 3 2 | 3 2 1 | 3 | 1 102.00 2 0.00 3 102.00 | 1 82.50 2 0.00 3 82.50 | January |
| 0.00 0.00 | | | | | | | February |
| 20.50 0.00 20.50 | | | | | | 20.50 0.00 20.50 | March |
| 74.50 0.00 74.50 | | | | | | 74.50 0.00 74.50 | <u>April</u> |
| 372.50 0.00 372.50 | 37.50 0.00 37.50 | | 126.00 0.00 126.00 | 40.00 0.00 40.00 | | 169.00 0.00 169.00 | May |
| 408.50 0.00 408.50 | 110.50 0.00 110.50 | 29.50 0.00 29.50 | 111.50 0.00 111.50 | 44.50 0.00 44.50 | | 112.50 0.00 112.50 | <u>June</u> |
| | | | | | | | July |
| | | | | | | | August |
| | | | | | | | September |
| | | | | | | | October |
| | | | | | | | November |
| | | | | | | | December |
| 1,060.50 0.00 1,060.50 | 148.00 0.00 148.00 | 29.50 0.00 29.50 | 237.50 0.00 237.50 | 84.50 0.00 84.50 | 102.00 0.00 102.00 | 459.00 0.00 459.00 | <u>Total</u> |

Detail of Reporting Exceptions For the Period January 2016 through June 2016

Schedule:

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Reporting Exceptions Hours Reported Reportable Hours

3 2 1

Key:

Rate Code: 066 Account#: 48083

Case 2:20-cv-00786-RSM Document 1 Filed 05/26/20 Page 38 of 80

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48083 Rate Code: 050

Summary of Reportable Hours & Contributions Reporting Exceptions 2016

Schedule:

H-1

| | Health and Welfare Retirement Fund | Total Due or Overpaid | Total Liquidated Damages Interest Charges | Health and Welfare Retirement Fund | Reported Hours Exceptions | |
|-------|---------------------------------------|-----------------------|---|--|---------------------------|------------------|
| | Fund Type 001 002 | | H-2 | | H-3 | Schedule |
| | Trust Fund Cor | | | | | January |
| | Trust Fund Contribution Rates | | | | | February |
| | ý | | | | | March |
| | | | | Detail of C | | <u>April</u> |
| | | | | Detail of Contributions Due or Overpaid on Reporting Exceptions \$1,918.68 \$1,005.36 162.60 85.20 | | May |
| | | | | tue or Ove | | June |
| | 7.08 0.60 | \$3,035.86 | \$2,081.28 255.24 699.34 | \$1,918.68 162.60 | 271.00 | <u>July</u> |
| | 7.08 0.60 | \$1,586.71 | \$1,090.56 1145.64 350.51 | srting Exception \$1,005.36 85.20 | 142.00 | August |
| | 7.08 0.60 | \$1,238.77 | \$856.32 119.73 262.72 | \$789.42 66.90 | 111.50 | August September |
| | 7.08 0.60 | \$3,893.58 | \$2,757.12 330.86 805.60 | \$2,541.72 215.40 | 359.00 | October |
| | 7.08 0.60 | \$4,271.89 | \$3,056.64 848.45 | \$2,817.84 238.80 | 398.00 | November |
| | 7.08 0.60 | \$2,978.78 | \$2,150.40 262.89 565.49 | \$1,982.40 168.00 | 280.00 | December |
| _ | 00 | \$17,005.59 | \$11,992.32 1,481.16 3,532.11 | \$11,055.42 936.90 | 1,561.50 | <u>Total</u> |
| .) - | 200 20 | | | | | |

Case 2:20-cv-00786-RSM Document 1 Filed 05/26/20 Page 39 of 80

Lundeen Simonson, Inc.
Account#: 48083
Rate Code: 050

Cement Masons & Plasterers Trust Funds

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2016

H-2

| 0030 2.20 CV 00700 NOV | Document | T IICU OSIZOIZO T U | gc 39 01 00 |
|--|--------------------|---------------------------------------|---|
| Number of Delinquent Months Health and Welfare Retirement Fund | Liquidated Damages | Health and Welfare Retirement Fund | Contributions Due, Schedule: Health and Welfare Retirement Fund |
| Int. Rates 18% 12% | | LD Rates 12% 12% | H-1 |
| Note: Interest Charges by Fund s | | s Liquidated Damages by Fund | January |
| Note: Liquid: by Fund | | iges by Fund | February |
| ated damages a | | | March |
| re calculated at | | | <u>April</u> |
| Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund. y Fund 23 22 21 20 19 \$661.94 \$331.77 \$248.67 \$762.52 \$80. 37.40 18.74 14.05 43.08 4 | | | Мау |
| rate as sl 23 | | | June |
| shown above or 3 22 \$661.94 37.40 | 255.24 | \$230.24 25.00 | <u>July</u> \$1,918.68 162.60 |
| or \$25, whiche 2 21 \$331.77 18.74 | 145.64 | \$120.64 25.00 | <u>August</u> \$1,005.36 \$5.20 |
| ver is greater, 20 \$248.67 14.05 | 119.73 | \$94.73 25.00 | <u>September</u> \$789.42 66.90 |
| per month per 19 \$762.52 43.08 | 330.86 | \$305.01 25.85 | <u>October</u> \$2,541.72 215.40 |
| \$803.08 45.37 | 366.80 | \$338.14 28.66 | November \$2,817.84 238.80 |
| \$535.25 30.24 | 262.89 | \$237.89 25.00 | <u>December</u> \$1,982.40 168.00 |
| \$3,343.23 188.88 | 1,481.16 | \$1,326.65 154.51 | <u>Total</u> \$11,055.42 936.90 |

Note: Interest is charged at the rate shown above on a per annum basis from the 15th of the month following the period listed above for which hours were worked until July 15, 2018.

699.34

350.51

262.72

805.60

848.45

565.49

3,532.11

Interest Charges

| M | | Docu | Jm | 1e | nt 1 | . 1 | -11 | ed | 05/ | 26 | 5/20 |) | Pa | age | 40 of |
|----------------------------|----------------------|------------------------|--------|--------|-------------|--------|--------|-------------|-------|-------|-------------|--------|--------|------------|----------------------|
| Total Reporting Exceptions | Total Hours Reported | Total Reportable Hours | | XXX-XX | Simonson, R | | XXX-XX | Simonson, K | | XXX-X | Simonson, J | | XXX-XX | Johnson, M | Employee Name SSN |
| | | | | | | | | | | | | | | | Key |
| ω | 2 | - | 3 | 2 | 1 | ယ | 2 | _ | ω | 2 | _ | ω | 2 | 1 | IJ |
| | | | | | | | | | | | | | | | January |
| | | | | | | | | | | | | | | | February |
| | | | | | | | | | | | | | | | March |
| | | | | | | | | | | | | | | | <u>April</u> |
| | | | | | | | | | | | | | | | Мау |
| | | | | | | | | | | | | | | | June |
| 271.00 | 0.00 | 271.00 | 174.50 | 0.00 | 174.50 | | | | 39.50 | 0.00 | 39.50 | 57.00 | 0.00 | 57.00 | July |
| 142.00 | 0.00 | 142.00 | 40.00 | 0.00 | 40.00 | | | | 31.00 | 0.00 | 31.00 | 71.00 | 0.00 | 71.00 | August |
| 111.50 | 0.00 | 111.50 | | | | 10.50 | 0.00 | 10.50 | | | | 101.00 | 0.00 | 101.00 | September |
| 359.00 | 0.00 | 359.00 | | | | 180.00 | 0.00 | 180.00 | 24.00 | 0.00 | 24.00 | 155.00 | 0.00 | 155.00 | October |
| 398.00 | 0.00 | 398.00 | | | | 208.00 | 0.00 | 208.00 | | | | 190.00 | 0.00 | 190.00 | November |
| 280.00 | 0.00 | 280.00 | | | | 120.00 | 0.00 | 120.00 | | | | 160.00 | 0.00 | 160.00 | December |
| 1,561.50 | 0.00 | 1,561.50 | 214.50 | 0.00 | 214.50 | 518.50 | 0.00 | 518.50 | 94.50 | 0.00 | 94.50 | 734.00 | 0.00 | 734.00 | Total |

Key:

Account#: 48083 Rate Code: 050

Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

H-3

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48082 Rate Code: 050

Summary of Reportable Hours & Contributions Reporting Exceptions 2017

Schedule:

<u>-1</u>

| Health and Welfare Retirement Fund | Total Due or Overpaid | Total Liquidated Damages Interest Charges | Health and Welfare Retirement Fund | | Reported Hours Exceptions | |
|---|-----------------------|---|---------------------------------------|---|---------------------------|--------------|
| Fund Type 001 002 | | 1-2 | | | 1-3 | Schedule |
| Trust Fund Contribution Rates 7.08 7.08 0.60 0.60 | \$0.00 | \$0.00 0.00 | \$0.00 0.00 | | 0.00 | January |
| ntribution Rat 7.08 0.60 | \$479.28 | \$337.92 62.38 78.98 | \$311.52 26.40 | | 44.00 | February |
| es 7.08 0.60 | \$2,042.00 | \$1,516.80 192.80 <u>332.40</u> | \$1,398.30 118.50 | | 197.50 | March |
| 7.08 0.60 | \$1,186.54 | \$883.20 122.70 180.64 | \$814.20 69.00 | Detail | 115.00 | <u>April</u> |
| 7.08 0.60 | \$127.68 | \$65.28 50.00 12.40 | \$60.18 5.10 | of Contributio | 8.50 | May |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 0.00 | \$0.00 | Detail of Contributions Due or Overpaid on Reporting Exceptions | 0.00 | <u>June</u> |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 0.00 | \$0.00 | erpaid on Rep | 0.00 | July |
| 7.08 0.60 | \$1,202.49 | \$936.96 128.65 136.88 | \$863.76 73.20 | orting Excepti | 122.00 | August |
| 7.08 0.60 | \$154.28 | \$92.16 50.00 12.12 | \$84.96 7.20 | ions | 12.00 | September |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 0.00 | \$0.00 0.00 | | 0.00 | October |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 <u>0.00</u> | \$0.00 | | 0.00 | November |
| 7.08 0.60 | \$0.00 | \$0.00 0.00 | \$0.00 0.00 | | 0.00 | December |
| | \$5,192.27 | \$3,832.32 606.53 753.42 | \$3,532.92 299.40 | | 499.00 | Total |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48082 Rate Code: 050

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2017

I-2

| | Case 2.20-CV-00760-RSW | Document 1 | Fileu 05/20/20 F | aye 42 01 00 |
|------------------|--|--------------------|--|---|
| Interest Charges | Number of Delinquent Months Health and Welfare Retirement Fund | Liquidated Damages | Health and Welfare Retirement Fund | Contributions Due, Schedule: Health and Welfare Retirement Fund |
| | Int. Rates 18% 12% | | LD Rates 12% 12% | Ξ |
| 0.00 | Note: Interest Charges by Fund 17 16 \$0.00 \$74.7 0.00 4.2 | 0.00 | Liquidated Damages by Fund \$0.00 \$37.38 0.00 25.00 | January \$0.00 0.00 |
| 78.98 | Note: Liqui by Fund 15 \$74.76 4.22 | 62.38 | ges by Fund \$37.38 25.00 | <u>February</u> \$311.52 26.40 |
| 332.40 | \$314.62 17.78 | 192.80 | \$167.80 25.00 | March \$1,398.30 118.50 |
| 180.64 | s are calculate 13 \$170.98 9.66 | 122.70 | \$97.70 25.00 | <u>April</u> \$814.20 69.00 |
| 12.40 | d at the percen 12 \$11.74 0.66 | 50.00 | \$25.00 25.00 | <u>May</u> \$60.18 5.10 |
| 0.00 | tage rate as sh | 0.00 | \$0.00 | <u>June</u> \$0.00 0.00 |
| 0.00 | own above of 10 \$0.00 0.00 | 0.00 | \$0.00 | <u>July</u> \$0.00 0.00 |
| 136.88 | r \$25, whiche 9 \$129.56 7.32 | 128.65 | \$103.65 25.00 | <u>August</u> \$863.76 73.20 |
| 12.12 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund. y Fund 15 14 13 12 11 10 9 8 7 \$74.76 \$314.62 \$170.98 \$11.74 \$0.00 \$0.00 \$129.56 \$11.47 \$0.00 \$4.22 17.78 9.66 0.66 0.00 0.00 7.32 0.65 0.00 | 50.00 | \$25.00 25.00 | <u>September</u> \$84.96 7.20 |
| 0.00 | per month per 7 \$0.00 0.00 | 0.00 | \$0.00 0.00 | October \$0.00 0.00 |
| 0.00 | fund. 6 \$0.00 0.00 | 0.00 | \$0.00 0.00 | November \$0.00 0.00 |
| 0.00 | \$0.00 0.00 | 0.00 | \$0.00 | <u>December</u> \$0.00 0.00 |
| 753.42 | \$713.13 40.29 | 606.53 | \$456.53 150.00 | <u>Total</u> \$3,532.92 299.40 |

Reportable Hours Hours Reported Reporting Exceptions

3 2

Detail of Reporting Exceptions
For the Period January 2017 through December 2017

Key:

Account#: 48082 Rate Code: 050

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

I-3

| | • | | • | | | ••• | | | - | • | | - Cu | | _ | o, <u>_</u> | • | | ,go | .00 |
|----------------------------|----------------------|------------------------|------|--------|-------------|-------|-------|-------------|------|----------|---------|-------------|-------|--------|-------------|-------|-------|-------------|----------------------|
| Total Reporting Exceptions | Total Hours Reported | Total Reportable Hours | | XXX-XX | Simonson, T | | XXX-X | Simonson, R | | | XXX-XX- | Simonson, K | | XXX-XX | Simonson, J | | XXX-X | Simonson, B | Employee Name SSN |
| 3 | 2 | 1 | သ | 2 | 1 | 3 | 2 | 1 | , | رر در | 2 | 1 | ယ | 2 | 1 | ω | 2 | 1 | Key |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | January |
| 44.00 | 0.00 | 44.00 | 6.00 | 0.00 | 6.00 | | | | 0000 | 38 00 | 0.00 | 38.00 | | | | | | | February |
| 197.50 | 0.00 | 197.50 | | | | | | | i | 127 50 | 0.00 | 127.50 | 70.00 | 0.00 | 70.00 | | | | March |
| 115.00 | 0.00 | 115.00 | | | | 57.50 | 0.00 | 57.50 | | | | | | | | 57.50 | 0.00 | 57.50 | April |
| 8.50 | 0.00 | 8.50 | | | | 8.50 | 0.00 | 8.50 | | | | | | | | | | | May |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | June |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | July |
| 122.00 | 0.00 | 122.00 | | | | | | | 100 | 122 00 | 0.00 | 122.00 | | | | | | | August September |
| 12.00 | 0.00 | 12.00 | | | | | | | 1.00 | 12 00 | 0.00 | 12.00 | | | | | | | September |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | October 1 |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | November December |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | December |
| 499.00 | 0.00 | 499.00 | 6.00 | 0.00 | 6.00 | 66.00 | 0.00 | 66.00 | 1000 | 299 50 | 0.00 | 299.50 | 70.00 | 0.00 | 70.00 | 57.50 | 0.00 | 57.50 | Total |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48083 Rate Code: 050

Summary of Reportable Hours & Contributions Reporting Exceptions 2017

Schedule:

J-1

| Health and Welfare Retirement Fund | Total Liquidated Damages Interest Charges Total Due or Overpaid | Health and Welfare Retirement Fund | Reported Hours Exceptions |
|---|---|---------------------------------------|--|
| Fund Type 001 002 | J-2 J-2 | | Schedule J-3 |
| Trust Fund Contribution Rates 7.08 7.08 0.60 0.60 | \$2,787.84 334.54 692.39 \$3,814.77 | \$2,570.04 217.80 | <u>January</u> 363.00 |
| ntribution Rat 7.08 0.60 | \$2,549.76 307.07 596.00 \$3,452.83 | \$2,350.56 199.20 | <u>February</u> 332.00 |
| es 7.08 0.60 | \$2,718.72 326.25 595.78 \$3,640.75 | \$2,506.32 212.40 | <u>March</u> 354.00 |
| 7.08 0.60 | \$2,154.24 263.31 440.61 \$2,858.16 | \$1,985.94 168.30 | <u>April</u> 280.50 Detail |
| 7.08 0.60 | \$3,022.08 362.65 573.96 \$3,958.69 | \$2,785.98 236.10 | May 393.50 of Contributic |
| 7.08 0.60 | \$748.80 107.84 131.27 \$987.91 | \$690.30 58.50 | April May June July August Se i0.50 393.50 97.50 64.00 50.50 Detail of Contributions Due or Overpaid on Reporting Exceptions |
| 7.08 0.60 | \$491.52 79.37 78.98 \$649.87 | \$453.12 38.40 | <u>July</u> 64.00 rpaid on Repo |
| 7.08 0.60 | \$387.84 67.90 <u>56.66</u> \$512.40 | \$357.54 30.30 | August 50.50 rting Exception |
| 7.08 0.60 | \$0.00 0.00 0.00 \$0.00 | \$0.00 0.00 | August September 50.50 0.00 g Exceptions |
| 7.08 0.60 | \$0.00 0.00 0.00 \$0.00 | \$0.00 0.00 | October 0.00 |
| 7.08 0.60 | \$0.00 0.00 0.00 \$0.00 | 0.00 | November 0.00 |
| 7.08 0.60 | \$0.00 0.00 0.00 \$0.00 | 0.00 | December 0.00 |
| | \$14,860.80 1,848.93 3,165.65 \$19,875.38 | \$13,699.80 1,161.00 | <u>Total</u> 1,935.00 |

Rate Code: 050 Account#: 48083 Lundeen Simonson, Inc. Cement Masons & Plasterers Trust Funds

Contributions Due, Schedule:

J-1

January

February

March

April

May

June

July

August

September

October

November

December

Total

Schedule:

J-2

\$2,570.04 217.80

\$2,350.56 199.20

\$2,506.32 212.40

\$1,985.94

\$2,785.98 236.10

\$690.30 58.50

\$453.12 38.40

\$357.54 30.30

\$0.00 0.00

\$0.00

\$0.00

\$0.00

\$13,699.80 1,161.00

168.30

Health and Welfare Retirement Fund

Liquidated Damanges and Interest Charges Due on Unpaid Contributions

| Case | 2:20-cv-007 | 786-RSM | Document 1 | Filed 05/26/ |
|------------------|---------------------------------------|---|--------------------|---|
| Interest Charges | Health and Welfare Retirement Fund | Number of Delinquent Months | Liquidated Damages | Health and Welfare Retirement Fund |
| | Int. Rates 18% 12% | | | LD Rates 12% 12% |
| 692.39 | \$655.36 37.03 | Note: Interest Charges by Fund 17 16 | 334.54 | LD Rates Liquidated Damages by Fund 12% \$308.40 \$282.07 12% 26.14 25.00 |
| 596.00 | \$564.13 31.87 | Note: Liqui s by Fund | 307.07 | s282.07 \$280.07 25.00 |
| <u>595.78</u> | \$563.92 31.86 | idated damage: | 326.25 | \$300.76 25.49 |
| 440.61 | \$417.05 23.56 | s are calculate | 263.31 | \$238.31 25.00 |
| 573.96 | \$543.27 30.69 | ed at the percer | 362.65 | \$334.32 28.33 |
| 131.27 | \$124.25 7.02 | ntage rate as sl | 107.84 | \$82.84 25.00 |
| <u>78.98</u> | \$74.76 4.22 | hown above or | 79.37 | \$54.37 25.00 |
| 56.66 | \$53.63 3.03 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$25, whichever is greater, per month per fund. y Fund 15 14 13 12 11 10 9 8 7 | 67.90 | \$42.90 25.00 |
| 0.00 | \$0.00 0.00 | er is greater, p | 0.00 | \$0.00 |
| 0.00 | \$0.00 0.00 | er month per | 0.00 | \$0.00 |
| 0.00 | \$0.00 0.00 | fund. | 0.00 | \$0.00 |
| 0.00 | \$0.00 0.00 | | 0.00 | \$0.00 |
| 3,165.65 | \$2,996.37 169.28 | _ | 1,848.93 | \$1,643.97 204.96 |
| TO L'AMPIAI | nt Daga 15 | | | |

Note: Interest is charged at the rate shown above on a per annum basis from the 15th of the month following the period listed above for which hours were worked until July 15, 2018.

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

J-3

Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Detail of Reporting Exceptions
For the Period January 2017 through December 2017

Key:

Account#: 48083 Rate Code: 050

| | | | • | | | | | | Ξ | | | | Ξ. | | - | | | 9 | |
|----------------------------|----------------------|------------------------|--------|--------|-------------|--------|---------|-------------|---|--------|-------|-------------|----------|--------|-------------|--------|--------|------------|----------------------|
| Total Reporting Exceptions | Total Hours Reported | Total Reportable Hours | | XXX-XX | Simonson, R | | XXX-XX- | Simonson, K | | | XXX-X | Simonson, J | | XXX-XX | Simonson, B | | XXX-XX | Johnson, M | Employee Name SSN |
| | | | | | | | | | | | | | | | | | | | Key |
| ယ | 2 | _ | ω. | 2 | 1 | သ | 2 | 1 | | ω | 2 | 1 | ω | 2 | _ | ω | 2 | _ | |
| 363.00 | 0.00 | 363.00 | 71.00 | 0.00 | 71.00 | 148.00 | 0.00 | 148.00 | | | | | 38.00 | 0.00 | 38.00 | 106.00 | 0.00 | 106.00 | January |
| 332.00 | 0.00 | 332.00 | 113.50 | 0.00 | 113.50 | 105.00 | 0.00 | 105.00 | | 32.00 | 0.00 | 32.00 | 81.50 | 0.00 | 81.50 | | | | February |
| 354.00 | 0.00 | 354.00 | 112.50 | 0.00 | 112.50 | 68.00 | 0.00 | 68.00 | | 61.00 | 0.00 | 61.00 | 112.50 | 0.00 | 112.50 | | | | March |
| 280.50 | 0.00 | 280.50 | 55.50 | 0.00 | 55.50 | 120.00 | 0.00 | 120.00 | | 105.00 | 0.00 | 105.00 | | | | | | | <u>April</u> |
| 393.50 | 0.00 | 393.50 | 132.00 | 0.00 | 132.00 | 165.50 | 0.00 | 165.50 | | 96.00 | 0.00 | 96.00 | | | | | | | May |
| 97.50 | 0.00 | 97.50 | | | | 86.00 | 0.00 | 86.00 | | | | | 11.50 | 0.00 | 11.50 | | | | June |
| 64.00 | 0.00 | 64.00 | | | | 64.00 | 0.00 | 64.00 | | | | | | | | | | | <u>July</u> |
| 50.50 | 0.00 | 50.50 | | | | 50.50 | 0.00 | 50.50 | | | | | | | | | | | August |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | September |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | October |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | November December |
| 0.00 | 0.00 | 0.00 | | | | | | | | | | | | | | | | | December |
| 1,935.00 | 0.00 | 1,935.00 | 484.50 | 0.00 | 484.50 | 807.00 | 0.00 | 807.00 | | 294.00 | 0.00 | 294.00 | 243.50 | 0.00 | 243.50 | 106.00 | 0.00 | 106.00 | Total |

Schedule A-2

Trust Fund: Cement Masons and Plasterers Trust Funds

Employer: Lundeen Simonson, Inc.

Account #'s: 48081, 48082 & 48083

Summary of Reporting Exceptions, Liquidated Damages And Interest Due

March 2015 through May 2018

| Ye | | Hours | Contributions | Liquidated | _ | T 1 | | |
|-------------|----------------|------------|-------------------|----------------|-----------------|---------------|--|--|
| Account# | Schedule 15 | Exceptions | <u>Exceptions</u> | <u>Damages</u> | <u>Interest</u> | <u>Total</u> | | |
| 20 48081 | 15 B-1 | (84.00) | (1,296.12) | 0.00 | 0.00 | (1,296.12) | | |
| 40001 | D-1 | (84.00) | (1,290.12) | 0.00 | 0.00 | (1,290.12) | | |
| 48082 | C-1 | (1,099.00) | (7,804.92) | 0.00 | 0.00 | (7,804.92) | | |
| .0002 | 0 1 | (1,055.00) | (7,00 1.52) | 0.00 | 0.00 | (7,00 1.52) | | |
| 48083 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | | | _ | | | | | |
| | | (1,183.00) | \$ (9,101.04) | \$ 0.00 | \$ 0.00 | \$ (9,101.04) | | |

Breakdown by Fund:

| | Overpaid |
|---------------------------|------------------|
| Health and Security | \$ (8,416.44) |
| Retirement Fund | (625.80) |
| Annuity Fund | 0.00 |
| Vacation Fund | 0.00 |
| Apprenticeship & Training | (58.80) |
| Total | \$ (9,101.04) |

Case 2:20-cv-00786-RSM Document 1 Filed 05/26/20 Page 48 of 80

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48081 Rate Code: 001

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

Schedule:

B-1

| Health and Welfare Retirement Fund Apprentice Training Fund | Total Due or Overpaid | Total | Reported Hours Exceptions Health and Welfare Retirement Fund Apprentice Training Fund |
|---|-----------------------|-------------|---|
| Fund Type 001 002 012 | | | Schedule B-2 |
| Trust Fund Contribution Rates | | | January |
| ibution Rates | | | February |
| 7.08 7.17 0.70 | \$0.00 | \$0.00 | March 0.00 80.00 0.00 0.00 |
| 7.08 7.17 0.70 | \$0.00 | \$0.00 | <u>April</u> 0.00 Detail o \$0.00 0.00 0.00 |
| 7.08 7.17 0.70 | \$0.00 | \$0.00 | May 0.00 f Contribution \$0.00 0.00 0.00 |
| 7.08 7.17 0.70 | \$0.00 | \$0.00 | April May June Ju 0.00 0.00 0.00 0.1 Detail of Contributions Due or Overpaid on 0.00 \$0.00 \$0.00 0.00 \$0.00 \$0.00 \$0.0 0.00 0.00 0.00 0.0 0.00 0.00 0.00 0.0 |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 | |
| 7.28 7.45 0.70 | -\$493.76 | -\$493.76 | <u>August</u> <u>Se</u> 00 -32.00 Reporting Exceptions 00 -\$232.96 - 00 -238.40 00 -22.40 |
| 7.28 7.45 0.70 | -\$802.36 | -\$802.36 | August September -32.00 -52.00 -32.00 -52.00 g Exceptions \$232.96 -\$378.56 -238.40 -387.40 -22.40 -36.40 |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 | 0.00 0.00 \$0.00 0.00 0.00 |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 | November 0.00 0.00 \$0.00 0.00 0.00 |
| 7.28 7.45 0.70 | \$0.00 | \$0.00 | <u>December</u> 0.00 80.00 0.00 0.00 |
| | -\$1,296.12 | -\$1,296.12 | Total -84.00 -8611.52 -625.80 -58.80 |

| USI | 20 | 3/20 | Paye | 49 01 | 00 | | | | | | | | |
|----------------------------|----------------------|------------------------|-------------------------|----------------------|--|----------------------|----------------|------------------|------|----------------|-----------------|------------------------|--|
| Total Reporting Exceptions | Total Hours Reported | Total Reportable Hours | Simonson, S XXX-XX | Employee Name SSN | | Reporting Exceptions | Hours Reported | Reportable Hours | Key: | Rate Code: 001 | Account#: 48081 | Lundeen Simonson, Inc. | Cement Masons & Plasterers Trust Funds |
| | | | | Key | | သ | 2 | _ | | | | | Trust Fund: |
| ω | 2 | 1 | 1 2 3 | | | | | | | | | | 3 |
| | | | | January | | | | | | | | | |
| | | | | February | | | | | | | | | |
| 0.00 | 0.00 | 0.00 | | March | | | | | | | | | |
| 0.00 | 0.00 | 0.00 | | <u>April</u> | For | | | | | | | | |
| 0.00 | 0.00 | 0.00 | | Мау | Detail of Reporting Exceptions For the Period March 2015 through December 2015 | | | | | | | | |
| 0.00 | 0.00 | 0.00 | | <u>June</u> | Detail of Reporting Exceptions riod March 2015 through Decer | | | | | | | | |
| 0.00 | 0.00 | 0.00 | | July | exceptions agh Decem | | | | | | | | |
| -32.00 | 32.00 | 0.00 | 0.00 32.00 -32.00 | August | ber 2015 | | | | | | | | |
| -52.00 | 52.00 | 0.00 | 0.00 52.00 -52.00 | September | | | | | | | | | |
| 0.00 | 0.00 | 0.00 | | October | | | | | | | | | |
| 0.00 | 0.00 | 0.00 | | November | | | | | | | | | S |
| 0.00 | 0.00 | 0.00 | | December | | | | | | | | | Schedule: B-2 |
| -84.00 | 84.00 | 0.00 | 0.00 84.00 -84.00 | Total | | | | | | | | | |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc. Account#: 48082 Rate Code: 066

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

Schedule:

C-1

| 5V-00700-1\SIVI | Docume |) III I | 1 11CU 03/20/20 | ı a | gc J | 0 01 | 00 |
|-------------------------------|-----------------------|-------------|-----------------|-------------------------|---|---------------------------|------------------|
| Health and Welfare | Total Due or Overpaid | Total | | Health and Welfare | | Reported Hours Exceptions | |
| Fund Type 001 | | | | | | C-2 | Schedule |
| Trust Fund Contribution Rates | | | | | | | January |
| ribution Rate | | | | | | | February |
| s 7.08 | -\$1,947.00 | -\$1,947.00 | | -\$1,947.00 -\$3,065.64 | | -275.00 | March |
| 7.08 | -\$3,065.64 | -\$3,065.64 | | -\$3,065.64 | Detail o | -433.00 | <u>April</u> |
| 7.08 | -\$492.06 | -\$492.06 | | -\$492.06 | of Contributio | -69.50 | May |
| 7.08 | -\$1,426.62 | -\$1,426.62 | | -\$492.06 -\$1,426.62 | Detail of Contributions Due or Overpaid on Reporting Exceptions | -201.50 | <u>June</u> |
| 7.28 | \$0.00 | \$0.00 | | \$0.00 | paid on Repo | 0.00 | <u>July</u> |
| 7.28 | \$0.00 | \$0.00 | | \$0.00 | rting Excepti | 0.00 | August |
| 7.28 | \$0.00 | \$0.00 | | \$0.00 | ons | 0.00 | August September |
| 7.28 | -\$218.40 | -\$218.40 | | -\$218.40 | | -30.00 | <u>October</u> |
| 7.28 | -\$538.72 | -\$538.72 | | -\$538.72 | | -74.00 | November |
| 7.28 | -\$116.48 | -\$116.48 | | -\$116.48 | | -16.00 | <u>December</u> |
| | -\$7,804.92 | -\$7,804.92 | | -\$7,804.92 | | -1,099.00 | <u>Total</u> |
| age 50 | | | | | | | |

Cement Masons & Plasterers Trust Funds Lundeen Simonson, Inc.

Schedule:

C-2

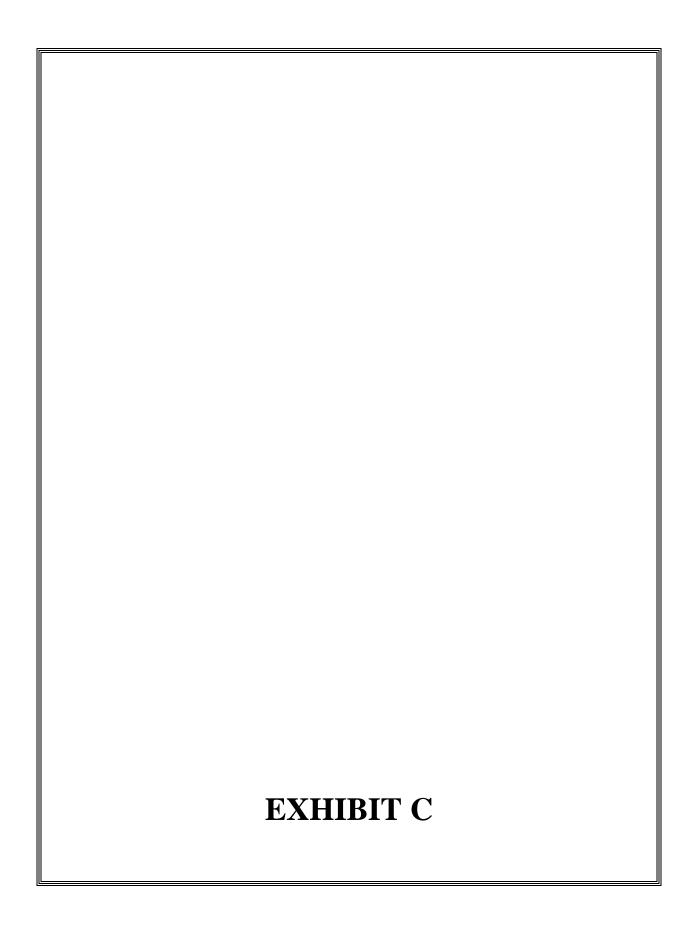
Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Detail of Reporting Exceptions For the Period March 2015 through December 2015 Key:

Account#: 48082 Rate Code: 066

| | Case 2: | 20-cv-00 | U/86-RS | M DOC | cument 1 | . Filed | 05/26/20 | Page | 2T 0I |
|--|-------------------------------|-------------------------|--------------------------|-----------------------------|----------------------------|---------------------------|-----------------------------|-------------------------|----------------------|
| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX | Simonson, R XXX-XX- | Simonson, L XXX-XX | Salinas, E XXX-XX | Ruonavaara, J XXX-XX | Murley, N XXX-XX | Murley, M XXX-XX | Lever, S XXX-XX | Employee Name SSN |
| | | | | | | | | | Key |
| 3 2 1 | 3 2 1 | 3 2 1 | 3 2 1 | 2 2 3 | 3 2 1 | 1 2 3 | 3 2 1 | 3 2 1 | January |
| | | | | | | | | | February |
| 106.00 381.00 -275.00 | | | | 40.50 132.50 -92.00 | 28.50 120.50 -92.00 | | 37.00 128.00 -91.00 | | March |
| 187.50 620.50 -433.00 | | | | 0.00 211.00 -211.00 | 59.00 205.50 -146.50 | | 128.50 204.00 -75.50 | | <u>April</u> |
| 79.00 148.50 -69.50 | | | 39.00 68.50 -29.50 | 40.00 80.00 -40.00 | | | | | May |
| 45.50 247.00 -201.50 | | | | | | 0.00 103.00 -103.00 | 45.50 144.00 -98.50 | | <u>June</u> |
| 0.00 | | | | | | | | | July |
| 0.00 0.00 | | | | | | | | | August |
| 0.00 0.00 0.00 | | | | | | | | | September |
| 120.00 150.00 -30.00 | | | | | | | 120.00 150.00 -30.00 | | October |
| 0.00 74.00 -74.00 | | 0.00 37.00 -37.00 | | | | | | 0.00 37.00 -37.00 | November |
| 364.00 380.00 -16.00 | 182.00 188.00 -6.00 | | | 182.00 192.00 -10.00 | | | | | December |
| 902.00 (2,001.00 . -1,099.00 (| 182.00 . 188.00 - -6.00 | 0.00 37.00 -37.00 | 39.00 68.50 -29.50 | 262.50 615.50 -353.00 | 87.50 326.00 -238.50 | 0.00 103.00 -103.00 | 331.00 626.00 -295.00 | 0.00 37.00 -37.00 | Total |





Welfare & Pension Administration Service, Inc.

7525 SE 24th Street, Suite 200, Mercer Island, WA 98040 P.O. Box 34203 Seattle, WA 98124 Telephone (206) 441-7574 or (800) 732-1121 • FAX (206) 695-0964

Random Fringe Benefit Contributions Compliance Report For Plan Administration Use Only

The Board of Trustees Washington-Idaho Cement Masons Employers Retirement Trust Funds

Re: Lundeen Simonson, Inc.

Account Numbers: 48082 & 48083

As requested by the Board of Trustees of the above-mentioned trust funds we looked at the payroll records of Lundeen Simonson, Inc. This task was undertaken in order to assist the Board of Trustees in determining whether the employer is in general compliance with the collective bargaining agreement (CBA), special agreement and Plan documents requiring that certain fringe benefit contributions be made to the respective Trust Funds.

On June 7, 2018, we received payroll records from Connie Simonson, Office Manager for Lundeen Simonson, Inc. On July 17, 2018 and July 25, 2018, we received additional records. Following is a description of the various measures undertaken in compiling the information for our report.

- Ms. Simonson provided us with payroll summaries, an employee list, a job list, time by job summaries, timecards, certified payroll, State quarterly payroll tax reports and trust remittance reports. These records covered the period March 2015 through May 2018.
- We identified all employees by classifications appearing on the employee list, various payroll records, reference to wage rates and discussions with the employer.
- We compared the effective rates of pay to the hours and wages recorded and paid per the payroll summaries and certified payroll. These recorded hours and wages were then compared to the hours reported to the Trusts.
- The unreported hours were due to the employer not submitting the required remittance reports with payment, reporting employees to the wrong local and not reporting all employees performing work covered by the CBA.
- The unreported hours resulted in an underpayment of contributions of \$103,811.77, liquidated damages of \$15,585.90, and interest charges of \$38,846.42 as supported by the attached Summary Schedule A-1 and related Supporting Schedules. Accounting fees amounted to \$6,327.00 for a total due of \$164,571.09.

The Board of Trustees Washington-Idaho Cement Masons Employers Retirement Trust Funds Page 2 of 2

- The overreported hours were due to reporting employees to the wrong local.
- The overreported hours resulted in an overpayment of contributions of (\$11,251.59) as supported by the attached Summary Schedule A-2 and related Supporting Schedules.

We are providing this information to the Board of Trustees for their use in the management of above referenced employee contribution practices of Lundeen Simonson, Inc., and it is not to be shared with third parties.

August 21, 2018

PV

Schedule A-1

Trust Fund: Washington Idaho Cement Masons Employers Retirement Trust Fund

Employer: Lundeen Simonson, Inc.

Account #'s: 48082 & 48083

Summary of Reporting Exceptions, Liquidated Damages And Interest Due

March 2015 through May 2018

| Year | | Hours | Contributions | | I | Liquidated | | | |
|----------|----------|-------------------|---------------|------------|----|----------------|----|-----------------|------------------|
| Account# | Schedule | <u>Exceptions</u> | - | Exceptions | | <u>Damages</u> | | <u>Interest</u> | <u>Total</u> |
| 201 | .5 | | | | | | | | |
| 48082 | B-1 | 8,545.00 | \$ | 55,033.02 | \$ | 8,149.55 | \$ | 23,857.79 | \$ 87,040.36 |
| 48083 | C-1 | 2,323.00 | | 14,960.12 | | 2,251.58 | | 6,860.74 | 24,072.44 |
| 201 | | | | | | | | | |
| 48082 | D-1 | 1,382.00 | | 8,584.08 | | 1,347.40 | | 2,676.27 | 12,607.75 |
| 48083 | E-1 | 1,777.00 | | 10,777.63 | | 1,657.28 | | 2,860.59 | 15,295.50 |
| 201 | .7 | | | | | | | | |
| 48082 | F-1 | 493.00 | | 2,941.82 | | 452.83 | | 493.11 | 3,887.76 |
| 48083 | G-1 | 1,935.00 | | 11,515.10 | | 1,727.26 | | 2,097.92 | 15,340.28 |
| | | 16,455.00 | \$ | 103,811.77 | \$ | 15,585.90 | \$ | 38,846.42 | \$ 158,244.09 |

Breakdown by Fund:

| | - | Underpaid . |
|-------------------------|----|-------------|
| Retirement Fund | \$ | 96,573.97 |
| Apprenticeship Training | | 7,237.80 |
| Total | \$ | 103,811.77 |

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

Schedule:

B-1

| Pension Apprenticeship & Training | Total Liquidated Damages Interest Charges Total Due or Overpaid | Pension Apprenticeship & Training | Reported Hours Exceptions | |
|--------------------------------------|---|---|---------------------------|-------------------------|
| Fund Type 002 012 | B-2 | | B-3 | Schedule |
| Trust Fund Contribution Rates | | | | January <u>February</u> |
| 5.84 | \$682.64 117.86 338.99 \$1,139.49 | \$619.04 63.60 | 106.00 | March |
| 5.84 0.60 | \$1,535.94 233.93 743.17 \$2,513.04 | Detail \$1,392.84 143.10 | 238.50 | April |
| 5.84 0.60 | \$5,441.80 801.06 2,563.74 \$8,806.60 | Detail of Contributions Due or Overpaid on 2.84 \$4,934.80 \$7,320.44 \$8,453.3.10 507.00 752.10 868. | 845.00 | May |
| 5.84 0.60 | \$8,072.54 1,188.32 3,700.33 \$12,961.19 | \$7,320.44 752.10 | 1,253.50 | <u>June</u> |
| 5.84 0.60 | \$9,321.90 1,372.23 4,154.32 \$14,848.45 | | 1,447.50 | July |
| 5.84 0.60 | \$9,144.80 1,346.16 3,958.96 \$14,449.92 | Reporting Exceptions 40 \$8,292.80 \$6 50 852.00 | 1,420.00 | August |
| 5.84 0.60 | \$7,399.56 1,089.25 3,109.19 \$11,598.00 | \$6,710.16 689.40 | 1,149.00 | September |
| 5.84 0.60 | \$6,105.12 898.71 2,487.55 \$9,491.38 | \$5,536.32 568.80 | 948.00 | October |
| 5.84 0.60 | \$161.00 46.90 <u>63.56</u> <u>\$271.46</u> | \$146.00 15.00 | 25.00 | November |
| 5.84 0.60 | \$7,167.72 1,055.13 2,737.98 \$10,960.83 | \$6,499.92 667.80 | 1,113.00 | December |
| D 50 | \$55,033.02 8,149.55 23,857.79 \$87,040.36 | \$49,905.72 5,127.30 | 8,545.50 | Total |

Rate Code: 478 Account#: 48082 Lundeen Simonson, Inc.

Washington-Idaho Cement Masons Employers Retirement Trust Fund

Schedule:

B-2

| | Case 2:20-cv-00786-RSM | Document 1 | Filed 05/26/20 | Page 57 of 80 |
|------------------|---|--------------------|--------------------------------------|--|
| Interest Charges | Number of Delinquent Months Pension Apprenticeship & Training | Liquidated Damages | Pension Apprenticeship & Training | Contributions Due, Schedule: Pension Apprenticeship & Training |
| | Int. Rates 15% 18% | | LD Rates 15% 12% | 쩐 |
| | Note: Liqui Interest Charges by Fund 39 | | Liquidated Damages by Fund | January February |
| 338.99 | idated damage: 38 \$301.78 37.21 | 117.86 | \$92.86 25.00 | <u>March</u> \$619.04 63.60 |
| 743.17 | ss are calculate 37 \$661.60 81.57 | 233.93 | \$208.93 25.00 | <u>April</u> \$1,392.84 143.10 |
| 2,563.74 | ed at the percei | 801.06 | \$740.22 60.84 | <u>May</u> \$4,934.80 507.00 |
| 3,700.33 | entage rate as 6 3 \$3,294.20 406.13 | 1,188.32 | \$1,098.07 90.25 | June \$7,320.44 752.10 |
| 4,154.32 | ss shown above 35 35 \$3,698.36 455.96 | 1,372.23 | \$1,268.01 104.22 | July \$8,453.40 868.50 |
| 3,958.96 | e or \$15, which 34 \$3,524.44 434.52 | 1,346.16 | \$1,243.92 102.24 | <u>August</u> \$8,292.80 852.00 |
| 3,109.19 | shever is greate 33 32 341.25 | 1,089.25 | \$1,006.52 82.73 | September \$6,710.16 689.40 |
| 2,487.55 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$15, whichever is greater, per month per fund. y Fund 39 38 37 36 35 34 33 32 31 \$301.78 \$661.60 \$2,282.35 \$3,294.20 \$3,698.36 \$3,524.44 \$2,767.94 \$2,214.53 \$5 37.21 81.57 281.39 406.13 455.96 434.52 341.25 273.02 | 898.71 | \$830.45 68.26 | October \$5,536.32 \$68.80 |
| 63.56 | 6.58 | 46.90 | \$21.90 25.00 | November \$146.00 15.00 |
| 2,737.98 | \$2,437.47 \$00.51 | 1,055.13 | \$974.99 80.14 | <u>December</u> \$6,499.92 667.80 |
| 23,857.79 | \$21,239.25 2,618.54 | 8,149.55 | \$7,485.87 663.68 | Total \$49,905.72 5,127.30 |

Reportable Hours Hours Reported Reporting Exceptions

3 2 1

Key:

Lundeen Simonson, Inc. Account#: 48082 Rate Code: 478

Washington-Idaho Cement Masons Employers Retirement Trust Fund

Schedule:

B-3

| | | Case 2. | 20-CV-U | 0100-RS | טען ואופ | Juneni 1 | Fileu | 05/20/20 | Paye | 50 01 | 00 |
|--------------------------------|--------------------------------|----------------------------|--------------------------------|------------------------|--------------------------|--------------------------|----------------------------|------------------------|--------------------------|----------------------|---|
| Niskanen, R XXX-XX | Murley, N XXX-X | Murley, M XXX-XX | Miles, C XXX-XX | Mattila, S XXX-XX | Mattila, C XXX-XX | Lever, S XXX-XX | Johnson, M XXX-XX | Grageda, J XXX-XX | Austin, S XXX-X | Employee Name SSN | weboung merephone |
| | | | | | | | | | | Key | ţ |
| 2 2 3 | 3 | 3 2 | 3 | 3 | 3 | 3 | 1 2 2 3 3 | 2 2 3 | 3 2 1 | January | |
| | | | | | | | | | | <u>February</u> | |
| | | 37.00 0.00 37.00 | | | | | | | | March | |
| | | 128.50 0.00 128.50 | | | 51.00 0.00 51.00 | | | | | <u>April</u> | Fo |
| | | 135.00 0.00 135.00 | 84.00 0.00 84.00 | 29.50 0.00 29.50 | 124.50 0.00 124.50 | | | | | Мау | Detail or the Period N |
| 27.00 0.00 27.00 | | 45.50 0.00 45.50 | 211.00 0.00 211.00 | | 179.00 0.00 179.00 | 160.00 0.00 160.00 | | | | <u>June</u> | Detail of Reporting Exceptions For the Period March 2015 through December 2015 |
| 162.00 0.00 162.00 | 65.00 0.00 65.00 | 65.00 0.00 65.00 | 167.00 0.00 167.00 | | 165.50 0.00 165.50 | 40.00 0.00 40.00 | | | | July | Exceptions ough Decemb |
| 40.00 0.00 40.00 | 173.00 0.00 173.00 | 153.00 0.00 153.00 | | | 159.00 0.00 159.00 | 100.00 0.00 100.00 | | 18.00 0.00 18.00 | 193.50 0.00 193.50 | August S | er 2015 |
| 80.50 0.00 80.50 | | 15.00 0.00 15.00 | | | 32.50 0.00 32.50 | 39.00 0.00 39.00 | | 69.00 0.00 69.00 | | September | |
| | | 120.00 0.00 120.00 | | | | | 120.00 0.00 120.00 | | | October N | |
| | | 175.50 161.50 14.00 | | | | | 195.50 184.50 11.00 | | | November I | |
| | | 90.00 0.00 90.00 | | | | 91.00 0.00 91.00 | 90.00 0.00 90.00 | | | December | |
| 309.50 H 0.00 H 309.50 L | 238.00 C 0.00 L 238.00 C | 964.50 161.50 803.00 | 462.00 G 0.00 G 462.00 D | 29.50 0.00 29.50 | 711.50 0.00 711.50 | 430.00 0.00 430.00 | 405.50 184.50 221.00 | 87.00 0.00 87.00 | 193.50 0.00 193.50 | Total | |

Exhibit C to Complaint - Page 58

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| | Cas | C 2.20-C | JV-00100 | J-INJIVI | Docum | CIICI | iicu 03/2 | .0/20 1 | age 33 | 01 00 | | |
|--|--------------------------|---------------------------------|--------------------------|--------------------------|--------------------------|------------------------|------------------------|------------------------|--------------------------|------------------------------|--------------------------|--------------------------|
| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX | Simonson, Z | Simonson, S XXX-XX | Simonson, R XXX-XX | Simonson, I XXX-XX | Simonson, J XXX-XX | Simonson, H XXX-XX | Simonson, B XXX-XX | Sanchez, R XXX-XX | Salinas, E XXX-XX | Ruonavaara, J XXX-X | Rodriguez, M XXX-X |
| 3 2 1 | 2 2 3 | 3 2 - | 3 2 1 | 3 2 - | 3 2 1 | 3 2 - | 3 2 1 | 3 2 - | 3 2 - | 3 2 1 | 3 | 2 2 3 |
| 106.00 0.00 106.00 | | | | | | | | | | 40.50 0.00 40.50 | 28.50 0.00 28.50 | |
| 238.50 0.00 238.50 | | | | | | | | | | | 59.00 0.00 59.00 | |
| 845.00 0.00 845.00 | | 146.00 0.00 146.00 | | 49.50 0.00 49.50 | 39.00 0.00 39.00 | | | | | 40.00 0.00 40.00 | 179.50 0.00 179.50 | 18.00 0.00 18.00 |
| 1,253.50 0.00 1,253.50 | | 129.00 0.00 129.00 | | 160.00 0.00 160.00 | 140.00 0.00 140.00 | | | | | 162.00 0.00 162.00 | 40.00 0.00 40.00 | |
| 1,447.50 0.00 1,447.50 | | 203.00 0.00 203.00 | 167.50 0.00 167.50 | 114.50 0.00 114.50 | 108.00 0.00 108.00 | | | | | 190.00 0.00 190.00 | | |
| 1,420.00 0.00 1,420.00 | 132.50 0.00 132.50 | 159.00 0.00 159.00 | 78.00 0.00 78.00 | | 79.00 0.00 79.00 | 21.00 0.00 21.00 | | | | 114.00 0.00 114.00 | | |
| 1,149.00 0.00 1,149.00 | 158.00 0.00 158.00 | 62.50 0.00 62.50 | 67.00 0.00 67.00 | | 58.00 0.00 58.00 | | 47.50 0.00 47.50 | | 80.00 0.00 80.00 | 200.00 0.00 200.00 | | 240.00 0.00 240.00 |
| 948.00 0.00 948.00 | 160.00 0.00 160.00 | | 68.00 0.00 68.00 | | | | | | 160.00 0.00 160.00 | 160.00 0.00 160.00 | | 160.00 0.00 160.00 |
| 371.00 346.00 25.00 | | | | | | | | | | | | |
| 1,113.00 0.00 1,113.00 | 182.00 0.00 182.00 | | | 74.00 0.00 74.00 | | | | 54.00 0.00 54.00 | 150.00 0.00 150.00 | 182.00 0.00 182.00 | | 200.00 0.00 200.00 |
| 8,891.50 (346.00 : 8,545.50 : | 632.50 0.00 632.50 | 699.50 6 0.00 • 699.50 • | 380.50 0 | 398.00 0.00 398.00 | 424.00 0.00 424.00 | 21.00 0.00 21.00 | 47.50 0.00 47.50 | 54.00 0.00 54.00 | 390.00 0.00 390.00 | 1,088.50 0.00 1,088.50 | 307.00 0.00 307.00 | 618.00 0.00 618.00 |

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

Schedule: C-1

| Pension Apprenticeship & Training | Total Liquidated Damages Interest Charges Total Due or Overpaid | Reported Hours Exceptions Pension Apprenticeship & Training |
|--------------------------------------|---|---|
| Fund Type 002 012 | C-2 C-2 | Schedule C-3 |
| Trust Fund Contribution Rates | | January E |
| ution Rates | | February |
| 5.84 0.60 | \$1,648.64 249.26 <u>818.69</u> \$2,716.59 | <u>March</u> 256.00 256.00 \$1,495.04 153.60 |
| 5.84 0.60 | \$2,988.16 439.87 1,445.83 \$4,873.86 | <u>April</u> 464.00 Detail \$2,709.76 278.40 |
| 5.84 0.60 | \$2,099.44 309.05 <u>989.09</u> \$3,397.58 | May 326.00 of Contributi \$1,903.84 195.60 |
| 5.84 0.60 | \$2,785.30 410.01 1,276.74 \$4,472.05 | June 432.50 ons Due or O \$2,525.80 259.50 |
| 5.84 0.60 | \$2,353.82 346.50 1,048.98 \$3,749.30 | April May June July August Se 94.00 326.00 432.50 365.50 0.00 Detail of Contributions Due or Overpaid on Reporting Exceptions 92.76 \$1,903.84 \$2,525.80 \$2,134.52 \$0.00 \$2 98.40 195.60 259.50 219.30 0.00 \$2 |
| 5.84 0.60 | \$0.00 0.00 0.00 | August 0.00 rting Except \$0.00 0.00 |
| 5.84 0.60 | \$2,440.76 359.29 1,025.57 \$3,825.62 | September 379.00 ions \$2,213.36 227.40 |
| 5.84 0.60 | \$386.40 77.56 157.44 \$621.40 | October 60.00 \$350.40 36.00 |
| 5.84 0.60 | \$0.00 0.00 \$0.00 | November 0.00 0.00 \$0.00 0.00 |
| 5.84 0.60 | \$257.60 60.04 <u>98.40</u> \$416.04 | December 40.00 \$233.60 24.00 |
| | \$14,960.12 2,251.58 6,860.74 \$24,072.44 | Total 2,323.00 2,323.00 \$13,566.32 1,393.80 |

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2015

C-2

| Interest Charges | Number of Delinquent Months Pension Apprenticeship & Training | Liquidated Damages | Pension Apprenticeship & Training | Contributions Due, Schedule: Pension Apprenticeship & Training |
|------------------|---|--------------------|---|--|
| | Interest Charges b Int. Rates 15% | | LD Rates Liquidated Damages by Fund 15% 12% | <u>January</u> <u>February</u> C-1 |
| 818.69 | 39 \$728.83 89.86 | 249.26 | \$224.26 25.00 | <u>March</u> \$1,495.04 153.60 |
| 1,445.83 | ses are calculus \$1,287.14 | 439.87 | \$406.46 33.41 | <u>April</u> \$2,709.76 278.40 |
| <u>989.09</u> | \$880.53 108.56 | 309.05 | \$285.58 23.47 | <u>May</u> \$1,903.84 195.60 |
| 1,276.74 | 36 \$1,136.61 140.13 | 410.01 | \$378.87 31.14 | <u>June</u> \$2,525.80 259.50 |
| 1,048.98 | y Fund \$728.83 \$1,287.14 \$880.53 \$1,136.61 \$933.85 \$0.00 \$913.01 \$140.16 \$89.86 158.69 108.56 140.13 115.13 0.00 112.56 17.28 | 346.50 | \$320.18 26.32 | <u>Лиly</u> \$2,134.52 219.30 |
| 0.00 | e or \$15, which \$34 \$0.00 0.00 | 0.00 | \$0.00 | <u>August</u> \$0.00 |
| 1,025.57 | \$913.01 112.56 | 359.29 | \$332.00 27.29 | <u>September</u> \$2,213.36 227.40 |
| 157.44 | er, per month j 32 3140.16 17.28 | 77.56 | \$52.56 25.00 | October \$350.40 36.00 |
| 0.00 | 0.00 | | \$0.00 0.00 | November \$0.00 0.00 |
| <u>98.40</u> | 30 \$87.60 10.80 | 60.04 | \$35.04 25.00 | <u>December</u> \$233.60 24.00 |
| <u>6,860.74</u> | \$6,107.73 753.01 | 2,251.58 | \$2,034.95 216.63 | Total \$13,566.32 1,393.80 |

Schedule:

C-3

Reportable Hours Hours Reported

Reporting Exceptions

Detail of Reporting Exceptions
For the Period March 2015 through December 2015

| Simonson, Ted | Simonson, G XXX-XX | Simonson, B XXX-XX | Sears, J XXX-XX | Sanchez, R XXX-X | Salinas, E XXX-X | Ruonavaara, J XXX-XX | Rodriguez, M XXX-XX | Murley, N XXX-XX- | Murley, M XXX-XX | Johnson, M XXX-XX | Employee Name SSN |
|---------------|------------------------|------------------------|--------------------------|----------------------|--------------------------|--------------------------|------------------------|--------------------------|--------------------------|----------------------|----------------------|
| <u></u> | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | <u>Key</u> |
| | | | | | | | | | | | <u>January</u> |
| | | | | | | | | | | | February |
| 40.00 | 19.00 0.00 19.00 | | | | 40.00 0.00 40.00 | 74.00 0.00 74.00 | | | 83.00 0.00 83.00 | | March |
| | | | | | 211.00 0.00 211.00 | 160.00 0.00 160.00 | | | 93.00 0.00 93.00 | | <u>April</u> |
| 77.00 | | | 63.50 0.00 63.50 | | 141.00 0.00 141.00 | | | | 44.50 0.00 44.50 | | May |
| | | | 216.50 0.00 216.50 | | | | | 88.00 0.00 88.00 | 128.00 0.00 128.00 | | <u>June</u> |
| | | | 110.00 0.00 110.00 | | | | | 130.50 0.00 130.50 | 125.00 0.00 125.00 | | July |
| | | | | | | | | | | | August |
| | | | | | | | | 197.00 0.00 197.00 | 182.00 0.00 182.00 | | September |
| | | | | | | | | 30.00 0.00 30.00 | 30.00 0.00 30.00 | | October |
| | | | | | | | | | | | November |
| | | 40.00 0.00 40.00 | | | | | | | | | December |
| 117.00 | 19.00 0.00 19.00 | 40.00 0.00 40.00 | 390.00 0.00 390.00 | 0.00 0.00 0.00 | 392.00 0.00 392.00 | 234.00 0.00 234.00 | 0.00 0.00 0.00 | 445.50 0.00 445.50 | 685.50 0.00 685.50 | 0.00 0.00 0.00 | <u>Total</u> |

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX | XXX-XX |
|--|----------------------|----------------|
| 3 2 1 | 3 2 1 | 3 2 |
| 256.00 0.00 256.00 | | 0.00 40.00 |
| 464.00 0.00 464.00 | | |
| 326.00 0.00 326.00 | | 0.00 77.00 |
| 432.50 0.00 432.50 | | |
| 365.50 0.00 365.50 | | |
| 0.00 0.00 0.00 | | |
| 379.00 0.00 379.00 | | |
| 60.00 0.00 60.00 | | |
| 0.00 0.00 0.00 | | |
| 40.00 0.00 40.00 | | |
| 2,323.00 0.00 2,323.00 | 0.00 0.00 0.00 | 0.00 117.00 |

Summary of Reportable Hours & Contributions Reporting Exceptions 2016

Schedule: D-1

| Pension Apprenticeship & Training | Total Liquidated Damages Interest Charges Total Due or Overpaid | Pension Apprenticeship & Training | Reported Hours Exceptions |
|---|--|--|---------------------------|
| Fund Type 002 012 | D-2 D-2 | | Schedule D-3 |
| Trust Fund Contribution Rates 5.84 5.84 0.60 0.60 | \$1,764.56 265.02 651.57 \$2,681.15 | \$1,600.16 164.40 | <u>January</u> 274.00 |
| ribution Rates 5.84 0.60 | \$0.00 0.00 0.00 | \$0.00 | February 0.00 |
| 5.84 0.60 | \$93.38 40.00 32.10 \$165.48 | \$84.68 8.70 | <u>March</u> 14.50 |
| 5.84 0.60 | \$972.44 157.28 321.93 \$1,451.65 | Detail. \$881.84 90.60 | <u>April</u> 151.00 |
| 5.84 0.60 | \$782.46 131.43 249.08 \$1,162.97 | \$709.56 72.90 | <u>Мау</u> 121.50 |
| 5.84 0.60 | \$1,217.16 190.56 371.95 \$1,779.67 | \$1,103.76 \$113.40 | <u>June</u> 189.00 |
| 5.94 0.00 | \$1,808.73 271.31 <u>520.01</u> \$2,600.05 | \$1,808.73 0.00 | <u>July</u> 304.50 |
| 5.94 0.00 | \$1,517.67 227.65 417.36 \$2,162.68 | Detail of Contributions Due or Overpaid on Reporting Exceptions \$1.84 \$709.56 \$1,103.76 \$1,808.73 \$1,517.67 \$0.60 72.90 113.40 0.00 0.00 | <u>August</u> 255.50 |
| 5.94 0.00 | \$427.68 64.15 112.27 \$604.10 | \$427.68 0.00 | September 72.00 |
| 5.94 0.00 | \$0.00 0.00 0.00 | \$0.00 0.00 | October 0.00 |
| 5.94 0.00 | \$0.00 0.00 0.00 | \$0.00 0.00 | November 0.00 |
| 5.94 0.00 | \$0.00 0.00 0.00 | \$0.00 | <u>December</u> 0.00 |
| | \$8,584.08 1,347.40 2,676.27 \$12,607.75 | \$8,134.08 450.00 | <u>Total</u> 1,382.00 |

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2016

Schedule:

D-2

| Interest Charges | Pension Apprenticeship & Training | Number of Delinquent Months | Liquidated Damages | Pension Apprenticeship & Training | Pension Apprenticeship & Training | Contributions Due Schedule. |
|------------------|--------------------------------------|---|--------------------|---|-----------------------------------|-----------------------------|
| | Int. Kates 15% 18% | | | LD Rates 15% | <u>-</u> | 7 |
| 651.57 | \$580.06 71.51 | Note: Interest Charges by Fund 29 28 | 265.02 | Liquidated Damages by Fund \$240.02 \$0.00 25.00 0.00 | \$1,600.16 164.40 | <u>January</u> |
| 0.00 | \$0.00 | Note: Liquid 5y Fund 27 | 0.00 | ges by Fund \$0.00 | \$0.00 | February |
| 32.10 | \$28.58 3.52 | lated damage: | 40.00 | \$15.00 25.00 | \$84.68 8.70 | March |
| 321.93 | \$286.60 35.33 | s are calculate | 157.28 | \$132.28 25.00 | \$881.84 90.60 | <u>April</u> |
| 249.08 | \$221.74 27.34 | ed at the percer | 131.43 | \$106.43 25.00 | \$709.56 72.90 | May |
| 371.95 | \$331.13 40.82 | entage rate as si | 190.56 | \$165.56 25.00 | \$1,103.76 113.40 | <u>June</u> |
| 520.01 | \$520.01 0.00 | shown above o | 271.31 | \$271.31 0.00 | \$1,808.73 0.00 | <u>July</u> |
| 417.36 | \$417.36 0.00 | or \$15, which | 227.65 | \$227.65 0.00 | \$1,517.67 0.00 | August |
| 112.27 | \$112.27 0.00 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$15, whichever is greater, per month per fund by Fund 27 26 25 24 23 22 21 20 19 | 64.15 | \$64.15 0.00 | \$427.68 0.00 | <u>September</u> |
| 0.00 | \$0.00 0.00 | per month per | 0.00 | \$0.00 | \$0.00 | October |
| 0.00 | \$0.00 0.00 | er fund. | 0.00 | \$0.00 | \$0.00 | November |
| 0.00 | \$0.00 0.00 | ω | 0.00 | \$0.00 0.00 | \$0.00 | December |
| 2,676.27 | \$2,497.75 178.52 | | 1,347.40 | \$1,222.40 125.00 | \$8,134.08 450.00 | <u>Total</u> |

Schedule:

D-3

Reportable Hours Hours Reported

Reporting Exceptions

Detail of Reporting Exceptions
For the Period January 2016 through December 2016

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX | Simonson, R XXX-XX | Simonson, J XXX-X | Simonson, B XXX-X | Sanchez, R XXX-X | Salinas, E XXX-XX | Rodriguez, M XXX-XX | Murley, M XXX-XX | Johnson, M XXX-XX | Employee Name SSN |
|--|------------------------|--------------------------|--------------------------|------------------------|------------------------|--------------------------|------------------------|------------------------|---------------------------|----------------------|
| | | | | | | | | | | <u>Key</u> |
| 2 2 3 | 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | |
| 274.00 0.00 274.00 | 36.00 0.00 36.00 | | | | 38.00 0.00 38.00 | 80.00 0.00 80.00 | 40.00 0.00 40.00 | 40.00 0.00 40.00 | 40.00 0.00 40.00 | January |
| 0.00 0.00 0.00 | | | | | | | | | | February |
| 82.50 68.00 14.50 | | | | | | | | | 82.50 68.00 14.50 | March |
| 151.00 0.00 151.00 | | 71.00 0.00 71.00 | | 25.00 0.00 25.00 | | | | | 55.00 0.00 55.00 | <u>April</u> |
| 121.50 0.00 121.50 | | 43.50 0.00 43.50 | | | | 78.00 0.00 78.00 | | | | May |
| 189.00 0.00 189.00 | | | 34.00 0.00 34.00 | | | 155.00 0.00 155.00 | | | | <u>June</u> |
| 304.50 0.00 304.50 | | | 138.00 0.00 138.00 | | | 166.50 0.00 166.50 | | | | July |
| 255.50 0.00 255.50 | | 39.50 0.00 39.50 | 15.00 0.00 15.00 | | | 201.00 0.00 201.00 | | | | August |
| 72.00 0.00 72.00 | | | | | | 72.00 0.00 72.00 | | | | <u>September</u> |
| 0.00 0.00 | | | | | | | | | | October |
| 0.00 0.00 0.00 | | | | | | | | | | November |
| 0.00 0.00 | | | | | | | | | | <u>December</u> |
| 1,450.00 68.00 1,382.00 | 36.00 0.00 36.00 | 154.00 0.00 154.00 | 187.00 0.00 187.00 | 25.00 0.00 25.00 | 38.00 0.00 38.00 | 752.50 0.00 752.50 | 40.00 0.00 40.00 | 40.00 0.00 40.00 | 177.50 68.00 109.50 | <u>Total</u> |

Summary of Reportable Hours & Contributions
Reporting Exceptions
2016

Schedule:

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| o ev ooree resim | Doc | Juille I | 1 11CU 03/20/20 | ı u | gc o | , 01 | 00 |
|---|-----------------------|---|-----------------|--------------------------------------|---|---------------------------|------------------|
| Pension Apprenticeship & Training | Total Due or Overpaid | Total Liquidated Damages Interest Charges | | Pension Apprenticeship & Training | | Reported Hours Exceptions | |
| Fund T Type 002 012 | | E-2 | | | | E-3 | Schedule |
| Trust Fund Contribution Rates 5.84 5.84 0.60 0.60 | \$0.00 | \$0.00 0.00 | | \$0.00 | | 0.00 | January |
| ribution Rates 5.84 0.60 | \$0.00 | \$0.00 0.00 0.00 | | \$0.00 | | 0.00 | February |
| 5.84 | \$220.37 | \$132.02 42.96 45.39 | | \$119.72 12.30 | | 20.50 | March |
| 5.84 0.60 | \$0.00 | \$0.00 0.00 <u>0.00</u> | | \$0.00 0.00 | Detail o | 0.00 | April |
| 5.84 | \$1,640.63 | \$1,110.90 176.11 <u>353.62</u> | | \$1,007.40 103.50 | f Contributio | 172.50 | May |
| 5.84 0.60 | \$2,359.92 | \$1,619.66 245.31 494.95 | | \$1,468.76 150.90 | ns Due or Ov | 251.50 | <u>June</u> |
| 5,94 | \$1,827.29 | \$1,271.16 190.67 365.46 | | \$1,271.16 0.00 | Detail of Contributions Due or Overpaid on Reporting Exceptions | 214.00 | July |
| 5,94 0.00 | \$600.98 | \$421.74 63.26 115.98 | | \$421.74 0.00 | rting Exception | 71.00 | August |
| 5.94 0.00 | \$93.74 | \$62.37 15.00 16.37 | | \$62.37 0.00 | ons | 10.50 | August September |
| 5.94 0.00 | \$2,985.45 | \$2,132.46 319.87 <u>533.12</u> | | \$2,132.46 0.00 | | 359.00 | October |
| 5.94 0.00 | \$3,280.22 | \$2,364.12 354.62 561.48 | | \$2,364.12 0.00 | | 398.00 | November |
| 5.94 0.00 | \$2,286.90 | \$1,663.20 249.48 <u>374.22</u> | | \$1,663.20 0.00 | | 280.00 | December |
| | \$15,295.50 | \$10,777.63 1,657.28 2,860.59 | | \$10,510.93 266.70 | | 1,777.00 | Total |

Lundeen Simonson, Inc.
Account#: 48083
Rate Code: 072

Washington-Idaho Cement Masons Employers Retirement Trust Fund

Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2016

Schedule:

E-2

| | Case 2:20-cv-00786-RSM | Document 1 | Filed 05/26/20 | Page 68 of 80 |
|------------------|--|--------------------|---|--|
| Interest Charges | Number of Delinquent Months Pension Apprenticeship & Training | Liquidated Damages | Pension Apprenticeship & Training | Contributions Due, Schedule: Pension Apprenticeship & Training |
| | Int. Rates 15% 18% | | LD Rates 15% 12% | E-1 |
| 0.00 | Note: Interest Charges by Fund 29 28 \$0.00 \$0.0 0.00 0.0 | 0.00 | LD Rates Liquidated Damages by Fund 15% \$0.00 \$0.00 12% 0.00 0.00 | <u>January</u> \$0.00 0.00 |
| 0.00 | Note: Liquid by Fund 27 \$0.00 0.00 | 0.00 | ges by Fund \$0.00 0.00 | \$0.00 0.00 |
| 45.39 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$15, whichever is greater, per month per fund. y Fund 27 26 25 24 23 22 21 20 19 \$0.00 \$40.41 \$0.00 \$314.81 \$440.63 \$365.46 \$115.98 \$16.37 \$533.12 \$56 0.00 4.98 0.00 38.81 54.32 0.00 0.00 0.00 0.00 | 42.96 | \$17.96 25.00 | March \$119.72 12.30 |
| 0.00 | are calculate 25 \$0.00 0.00 | 0.00 | \$0.00 0.00 | <u>April</u> \$0.00 0.00 |
| 353.62 | ed at the percent \$314.81 \$38.81 | 176.11 | \$151.11 25.00 | <u>May</u> \$1,007.40 103.50 |
| 494.95 | nage rate as sl 1 23 \$440.63 54.32 | 245.31 | \$220.31 25.00 | <u>June</u> \$1,468.76 150.90 |
| 365.46 | \$365.46 0.00 | 190.67 | \$190. <i>67</i> 0.00 | <u>July</u> \$1,271.16 0.00 |
| 115.98 | * \$15, whiche 21 \$115.98 0.00 | 63.26 | \$63.26 0.00 | <u>August</u> \$421.74 0.00 |
| 16.37 | ver is greater, 20 \$16.37 0.00 | 15.00 | \$15.00 0.00 | <u>September</u> \$62.37 0.00 |
| 533.12 | per month per) 19 \$533.12 0.00 | 319.87 | \$319.87 0.00 | October \$2,132.46 0.00 |
| 561.48 | \$561.48 0.00 | 354.62 | \$354.62 0.00 | November \$2,364.12 0.00 |
| 374.22 | \$374.22 0.00 | 249.48 | \$249.48 0.00 | <u>December</u> \$1,663.20 0.00 |
| 2,860.59 | \$2,762.48 98.11 | 1,657.28 | \$1,582.28 75.00 | Total \$10,510.93 266.70 |

| Washington-Idaho Cement N | Washington-Idaho Cement Masons Employers Retirement Trust Fund |
|---------------------------|--|
| Lundeen Simonson, Inc. | |
| Account#: 48083 | |
| Rate Code: 072 | |
| Key: | |
| Reportable Hours | |
| Hours Reported | 2 |
| Reporting Exceptions | ω |

E-3

Detail of Reporting Exceptions
For the Period January 2016 through December 2016

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Simonson, R XXX-XX | Simonson, K XXX-XX- | Simonson, XXX-X | Simonson, B XXX-X | Johnson, M XXX-XX | Employee Name SSN |
|--|--------------------------|--------------------------|--------------------------|--------------------------|----------------------------|----------------------|
| 1 2 3 | 3 2 1 | 3 2 1 | 3 2 1 | 3 2 1 | 3 2 1 | Key |
| 0.00 0.00 0.00 | | | | | | January |
| 0.00 0.00 0.00 | | | | | | February |
| 20.50 0.00 20.50 | | | | | 20.50 0.00 20.50 | March |
| 0.00 0.00 0.00 | | | | | | April |
| 332.50 160.00 172.50 | 37.50 0.00 37.50 | | | 126.00 0.00 126.00 | 169.00 160.00 9.00 | May |
| 251.50 0.00 251.50 | 110.50 0.00 110.50 | | 29.50 0.00 29.50 | 111.50 0.00 111.50 | | <u>June</u> |
| 214.00 0.00 214.00 | 174.50 0.00 174.50 | | 39.50 0.00 39.50 | | | July |
| 71.00 0.00 71.00 | 40.00 0.00 40.00 | | 31.00 0.00 31.00 | | | August |
| 10.50 0.00 10.50 | | 10.50 0.00 10.50 | | | | September |
| 359.00 0.00 359.00 | | 180.00 0.00 180.00 | 24.00 0.00 24.00 | | 155.00 0.00 155.00 | October |
| 398.00 0.00 398.00 | | 208.00 0.00 208.00 | | | 190.00 0.00 190.00 | November |
| 280.00 0.00 280.00 | | 120.00 0.00 120.00 | | | 160.00 0.00 160.00 | December |
| 1,937.00 160.00 1,777.00 | 362.50 0.00 362.50 | 518.50 0.00 518.50 | 124.00 0.00 124.00 | 237.50 0.00 237.50 | 694.50 160.00 534.50 | Total |

Summary of Reportable Hours & Contributions
Reporting Exceptions
2017

Schedule:

| Pension | Total Liquidated Damages Interest Charges Total Due or Overpaid | Reported Hours Exceptions Pension |
|---|---|--|
| Fund Type 002 | F2 | Schedule F-3 |
| Trust Fund Contribution Rates 5.94 5.94 | \$0.00 0.00 0.00 | <u>January</u> 0.00 \$0.00 |
| ntribution Rat 5.94 | \$225.72 33.86 45.14 8304.72 | <u>February</u> 38.00 \$225.72 |
| es 5.94 | \$1,173.15 175.97 219.97 \$1,569.09 | <u>March</u> 197.50 \$1,173.15 |
| 5.94 | \$683.10 102.47 119.54 \$905.11 | <u>April</u> 115.00 Detail \$683.10 |
| 5.94 | \$50.49 15.00 <u>8.20</u> <u>\$73.69</u> | April May June Ju 5.00 8.50 0.00 0.0 Detail of Contributions Due or Overpaid on 33.10 \$50.49 \$0.00 \$0.0 |
| 6.04 | \$0.00 0.00 0.00 | <u>June</u> 0.00 ns Due or Over |
| 6.04 | \$0.00 0.00 0.00 | |
| 6.04 | \$736.88 110.53 92.11 \$939.52 | <u>August</u> <u>Se</u> 122.00 Reporting Exceptions 8736.88 |
| 6.04 | \$72.48 15.00 <u>8.15</u> <u>\$95.63</u> | <u>August</u> <u>September</u> 122.00 12.00 g Exceptions 5736.88 \$72.48 |
| 6.04 | \$0.00 0.00 0.00 | October 0.00 \$0.00 |
| 6.04 | \$0.00 0.00 0.00 | November 0.00 \$0.00 |
| 6.04 | \$0.00 0.00 0.00 | December 0.00 \$0.00 |
| | \$2,941.82 452.83 493.11 <u>\$3,887.76</u> | <u>Total</u> 493.00 \$2,941.82 |

Rate Code: 478 Account#: 48082 Lundeen Simonson, Inc. Washington-Idaho Cement Masons Employers Retirement Trust Fund

F-2

| Interest Charges | Number of Delinquent Months Pension | Liquidated Damages | Pension | Contributions Due, Schedule: Pension |
|--------------------------|--|--|---|---|
| | Int. Rates | | LD Rates | 꼰 |
| 0.00 | Interest Charges by Fund 17 16 \$0.00 \$45.1 | 0.00 | LD Rates Liquidated Damages by Fund 15% \$0.00 \$33.86 | <u>January</u> \$0.00 |
| 45.14 | by Fund 15 \$45.14 | 33.86 Note: Liqu | ages by Fund \$33.86 | February \$225.72 |
| 219.97 | \$219.97 | 175.97 iidated damag | \$175.97 | <u>March</u> \$1,173.15 |
| 119.54 | 14 13 \$119.54 | 102.47 es are calculate | \$102.47 | Liquidated April \$683.10 |
| 8.20 | 12 \$8.20 | $\frac{15.00}{\text{at the percen}}$ | \$15.00 | Liquidated Damanges and Interest Charges Due on Unpaid Contributions 2017 April May June July August Septem \$683.10 \$50.49 \$0.00 \$0.00 \$736.88 \$72 |
| 0.00 | \$0.00 | <u>0.00</u> | \$0.00 | Interest Charg 2017 June \$0.00 |
| 0.00 | \$0.00 | 0.00 own above o | \$0.00 | es Due on U July \$0.00 |
| 92.11 | \$92.11 | 110.5 <u>3</u> r \$15, which | \$110.53 | npaid Contri August \$736.88 |
| - - 8. 15. | \$8.15 8 | 33.86 175.97 102.47 15.00 0.00 0.00 110.53 15.00 0.00 0.00 1.00 0.00 1.00 0.00 1.00 0. | \$15.00 | butions September \$72.48 |
| 0.00 | \$0.00 | <u>0.00</u> per month po | \$0.00 | <u>October</u> \$0.00 |
| 0.00 | \$0.00 | <u>0.00</u> er fund. | \$0.00 | November \$0.00 |
| 0.00 | \$0.00 | 0.00 | \$0.00 | December \$0.00 |
| 493.11 | \$493.11 | 452.83 | \$452.83 | <u>Total</u> \$2,941.82 |

Note: Interest is charged at the rate shown above on a per annum basis from the 15th of the month following the period listed above for which hours were worked until July 15, 2018.

| M | Doc | ument 1 | Filed | 05/26/20 |) Page | 72 of | 80 | | |
|----------------------------|---|------------------------|--------------------------|------------------------|------------------------|----------------------|--|---|-----------------------------------|
| Total Reporting Exceptions | Total Reportable Hours Total Hours Reported | Simonson, R XXX-XX | Simonson, K | Simonson, XXX | Simonson, B XXX-X | Employee Name SSN | | Key: Reportable Hours Hours Reported Reporting Exceptions | Account#: 48082 Rate Code: 478 |
| | | | | | | Key | | 3 2 1 | |
| ω | 2 | 3 | 2 2 | 3 2 1 | 3 | | | | |
| 0.00 | 0.00 | | | | | <u>January</u> | | | |
| 38.00 | 38.00 0.00 | | 38.00 0.00 38.00 | | | February | | | |
| 197.50 | 197.50 0.00 | | 127.50 0.00 127.50 | 70.00 0.00 70.00 | | March | | | |
| 115.00 | 115.00 0.00 | 57.50 0.00 57.50 | | | 57.50 0.00 57.50 | <u>April</u> | For | | |
| 8.50 | 8.50 0.00 | 8.50 0.00 8.50 | | | | <u>May</u> | Detail of Reporting Exceptions For the Period January 2017 through December 2017 | | |
| 0.00 | 0.00 | | | | | <u>June</u> | Detail of Reporting Exceptions od January 2017 through Dece | | |
| 0.00 | 0.00 | | | | | July | xceptions ugh Decen | | |
| 122.00 | 122.00 0.00 | | 122.00 0.00 122.00 | | | August So | ıber 2017 | | |
| 12.00 | 12.00 0.00 | | 12.00 0.00 12.00 | | | September | | | |
| 0.00 | 0.00 | | | | | October No | | | |
| 0.00 | 0.00 | | | | | November D | | | |
| 0.00 | 0.00 | | | | | December | | | |
| 493.00 | 493.00 0.00 | 66.00 0.00 66.00 | 299.50 0.00 299.50 | 70.00 0.00 70.00 | 57.50 0.00 57.50 | <u>Total</u> | | | |

Lundeen Simonson, Inc.

Washington-Idaho Cement Masons Employers Retirement Trust Fund

F-3

Summary of Reportable Hours & Contributions
Reporting Exceptions
2017

Schedule:

G-1

| V-00700-R3IVI | טטט | ument 1 | Fileu 05/20/20 | Pa | ge / | 3 01 | 00 |
|---|-----------------------|---|----------------|-------------|---|---------------------------|------------------|
| Pension | Total Due or Overpaid | Total Liquidated Damages Interest Charges | | Pension | | Reported Hours Exceptions | |
| Fund Type 002 | | G-2 G-2 | | | | G-3 | Schedule |
| Trust Fund Contribution Rates 5.94 5.94 | \$2,937.85 | \$2,156.22 323.43 458.20 | | \$2,156.22 | | 363.00 | January |
| ntribution Rate | \$2,662.31 | \$1,972.08 295.81 394.42 | | \$1,972.08 | | 332.00 | February |
| s 5.94 | \$2,812.44 | \$2,102.76 315.41 <u>394.27</u> | | \$2,102.76 | | 354.00 | March |
| 5.94 | \$2,207.68 | \$1,666.17 249.93 <u>291.58</u> | | \$1,666.17 | Detail c | 280.50 | April |
| 5.94 | \$3,067.83 | \$2,337.39 350.61 <u>379.83</u> | | \$2,337.39 | f Contribution | 393.50 | May |
| 6.04 | \$765.58 | \$588.90 88.34 <u>88.34</u> | | \$588.90 | ıs Due or Oveı | 97.50 | <u>June</u> |
| 6.04 | \$497.69 | \$386.56 57.98 <u>53.15</u> | | \$386.56 | Detail of Contributions Due or Overpaid on Reporting Exceptions | 64.00 | July |
| 6.04 | \$388.90 | \$305.02 45.75 <u>38.13</u> | | \$305.02 | rting Exceptio | 50.50 | August September |
| 6.04 | \$0.00 | \$0.00 0.00 <u>0.00</u> | | \$0.00 | ns | 0.00 | September |
| 6.04 | \$0.00 | \$0.00 0.00 <u>0.00</u> | | \$0.00 | | 0.00 | October 1 |
| 6.04 | \$0.00 | \$0.00 0.00 0.00 | | \$0.00 | | 0.00 | November |
| 6.04 | \$0.00 | \$0.00 0.00 0.00 | | \$0.00 | | 0.00 | December |
| aga 72 | \$15,340.28 | \$11,515.10 1,727.26 2,097.92 | | \$11,515.10 | | 1,935.00 | Total |

Rate Code: 072 Account#: 48083 Lundeen Simonson, Inc. Washington-Idaho Cement Masons Employers Retirement Trust Fund

Pension

Contributions Due, Schedule:

G-1

\$2,156.22

\$1,972.08

\$2,102.76

\$1,666.17

\$2,337.39

\$588.90

\$386.56

\$305.02

\$0.00

\$0.00

\$0.00

\$0.00

\$11,515.10

January

February

March

April

May

June

July

August

September

October

November

December

Total

Schedule:

G-2

Liquidated Damanges and Interest Charges Due on Unpaid Contributions

| | Case 2:20-cv-00786-RSM | Document 1 | Filed 05/26/2 |
|------------------|---|--------------------|--|
| Interest Charges | Number of Delinquent Months Pension | Liquidated Damages | Pension |
| | Int. Rates | | LD Rates 15% |
| 458.20 | Note: Interest Charges by Fund 17 16 \$458.20 \$394.4 | 323.43 | LD Rates Liquidated Damages by Fund 15% \$323.43 \$295.81 |
| 394.42 | Note: Liquid by Fund 15 \$394.42 | 295.81 | ages by Fund \$295.81 |
| 394.27 | dated damage: 14 \$394.27 | 315.41 | \$315.41 |
| 291.58 | s are calculate 13 \$291.58 | 249.93 | \$249.93 |
| 379.83 | sd at the percei | 350.61 | \$350.61 |
| 88.34 | ntage rate as sl 11 \$88.34 | 88.34 | \$88.34 |
| 53.15 | hown above on 10 \$53.15 | <u>57.98</u> | \$57.98 |
| 38.13 | Note: Liquidated damages are calculated at the percentage rate as shown above or \$15, whichever is greater, per month per fund. y Fund 15 14 13 12 11 10 9 8 7 \$394.42 \$394.27 \$291.58 \$379.83 \$88.34 \$53.15 \$38.13 \$0.00 \$0.00 \$ | 45.75 | \$45.75 |
| 0.00 | er is greater, p 8 \$0.00 | 0.00 | \$0.00 |
| 0.00 | ser month per 7 | 0.00 | \$0.00 |
| 0.00 | fund. 6 \$0.00 | 0.00 | \$0.00 |
| 0.00 | \$0.00 | 0.00 | \$0.00 |
| 2,097.92 | \$2,097.92 | 1,727.26 | \$1,727.26 |

| Hours Reported | Reportable Hours | Key: | Rate Code: 072 | Account#: 48083 | Lundeen Simonson, Inc. | Washington-Idaho Cemen |
|----------------|------------------|------|----------------|-----------------|------------------------|--|
| 2 | | | | | | Washington-Idaho Cement Masons Employers Retirement Trust Fund |
| | | | | | | Schedule: (|

| For the Period January 2017 through December 201 | Detail of Reporting Exceptions |
|--|--------------------------------|

Reporting Exceptions

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Simonson, R XXX-XX | Simonson, K XXX-XX | Simonson, XXX-XX | Simonson, B XXX-X | Johnson, M XXX-XX- | Employee Name SSN |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|----------------------|
| 3 2 1 | 2 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 3 2 1 | Key |
| 363.00 0.00 363.00 | 71.00 0.00 71.00 | 148.00 0.00 148.00 | | 38.00 0.00 38.00 | 106.00 0.00 106.00 | January |
| 332.00 0.00 332.00 | 113.50 0.00 113.50 | 105.00 0.00 105.00 | 32.00 0.00 32.00 | 81.50 0.00 81.50 | | February |
| 354.00 0.00 354.00 | 112.50 0.00 112.50 | 68.00 0.00 68.00 | 61.00 0.00 61.00 | 112.50 0.00 112.50 | | March |
| 280.50 0.00 280.50 | 55.50 0.00 55.50 | 120.00 0.00 120.00 | 105.00 0.00 105.00 | | | <u>April</u> |
| 393.50 0.00 393.50 | 132.00 0.00 132.00 | 165.50 0.00 165.50 | 96.00 0.00 96.00 | | | Мау |
| 97.50 0.00 97.50 | | 86.00 0.00 86.00 | | 11.50 0.00 11.50 | | <u>June</u> |
| 64.00 0.00 64.00 | | 64.00 0.00 64.00 | | | | <u>July</u> |
| 50.50 0.00 50.50 | | 50.50 0.00 50.50 | | | | <u>August</u> S |
| 0.00 0.00 0.00 | | | | | | September |
| 0.00 0.00 0.00 | | | | | | October |
| 0.00 0.00 0.00 | | | | | | November |
| 0.00 0.00 0.00 | | | | | | December |
| 1,935.00 0.00 1,935.00 | 484.50 0.00 484.50 | 807.00 0.00 807.00 | 294.00 0.00 294.00 | 243.50 0.00 243.50 | 106.00 0.00 106.00 | <u>Total</u> |

Schedule A-2

Trust Fund: Washington Idaho Cement Masons Employers Retirement Trust Fund

Employer: Lundeen Simonson, Inc.

Account #'s: 48082 & 48083

Summary of Reporting Exceptions, Liquidated Damages
And Interest Due

March 2015 through May 2018

| Year Account# Sc 2015 | <u>chedule</u> | Hours Exceptions | Contributions <u>Exceptions</u> | | | <u>Total</u> |
|-----------------------|----------------|---------------------|---------------------------------|---------|---------|-----------------------|
| 48082 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 48083 2016 | B-1 | (874.00) | (5,628.56) | 0.00 | 0.00 | (5,628.56) |
| 48082 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 48083 | C-1 | (899.50) | (5,623.03) | 0.00 | 0.00 | (5,623.03) |
| | | (1,773.50) | \$ (11,251.59) | \$ 0.00 | \$ 0.00 | <u>\$ (11,251.59)</u> |

Breakdown by Fund:

| | <u>Overpaid</u> |
|-------------------------|-------------------|
| Retirement Fund | \$ (10,391.19) |
| Apprenticeship Training | (860.40) |
| | |
| Total | \$ (11,251.59) |

Summary of Reportable Hours & Contributions Reporting Exceptions 2015

Schedule:

B-1

| | | | 3 | |
|--------------------------------------|-----------------------|-------------|--------------------------------------|--|
| Pension Apprenticeship & Training | Total Due or Overpaid | Total | Pension Apprenticeship & Training | Reported Hours Exceptions |
| Fund Type 002 012 | | | | Schedule B-2 |
| Trust Fund Contribution Rates | | | | January |
| tribution Rates | | | | February |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 | <u>March</u> 0.00 |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 0.00 | April 0.00 Detail of |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 | May 0.00 Contributions |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 | April May June Ju 0.00 0.00 0.00 0.0 Detail of Contributions Due or Overpaid on |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 | July 0.00 |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 | Lly August September 00 0.00 0.00 Reporting Exceptions |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 0.00 | <u>september</u> 0.00 |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 0.00 | October 0.00 |
| 5.84 0.60 | \$0.00 | \$0.00 | \$0.00 | November 0.00 |
| 5.84 0.60 | -\$5,628.56 | -\$5,628.56 | -\$5,104.16 -524.40 | <u>December</u> -874.00 |
| | -\$5,628.56 | -\$5,628.56 | -\$5,104.16 -524.40 | <u>Total</u> -874.00 |

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX | Sanchez, R XXX-XX | Salinas, E XXX-X | Rodriguez, M XXX-X | Murley, M XXX-XX | Johnson, M XXX-XX | Employee Name SSN | Washington-Idaho Cement Masons Employers Retirement Trust Fund Lundeen Simonson, Inc. Account#: 48083 Rate Code: 072 Key: Reportable Hours 1 Hours Reported 2 Reporting Exceptions 3 |
|--|---------------------------|----------------------------|---------------------------|---------------------------|----------------------------|---------------------------|----------------------|--|
| | | | | | | | Key | lasons Emplo 1 2 3 |
| 3 2 1 | 3 2 | 2 2 3 | 3 2 1 | 3 | 3 | 3 2 1 | January | yers Retiremen |
| | | | | | | | February | : Trust Fund |
| 0.00 0.00 0.00 | | | | | | | March | |
| 0.00 0.00 0.00 | | | | | | | <u>April</u> | ম |
| 0.00 0.00 | | | | | | | May | Detail of Reporting Exceptions For the Period March 2015 through December 2015 |
| 0.00 0.00 0.00 | | | | | | | <u>June</u> | Detail of Reporting Exceptions |
| 0.00 | | | | | | | July | Exceptions ough Decembe |
| 0.00 0.00 0.00 | | | | | | | August | r 2015 |
| 0.00 0.00 | | | | | | | September | |
| 0.00 0.00 0.00 | | | | | | | October 1 | |
| 0.00 0.00 0.00 | | | | | | | November | |
| 226.00 1,100.00 -874.00 | 0.00 182.00 -182.00 | 40.00 190.00 -150.00 | 0.00 182.00 -182.00 | 0.00 180.00 -180.00 | 100.00 190.00 -90.00 | 86.00 176.00 -90.00 | December | Schedule: B-2 |
| 226.00 1,100.00 -874.00 | 0.00 182.00 -182.00 | 40.00 190.00 -150.00 | 0.00 182.00 -182.00 | 0.00 180.00 -180.00 | 100.00 190.00 -90.00 | 86.00 176.00 -90.00 | Total | ь |

Summary of Reportable Hours & Contributions
Reporting Exceptions
2016

Schedule:

C-1

| | | | - | _ | | |
|---|-----------------------|-------------|--------------------------------------|--|---------------------------|--------------|
| Pension Apprenticeship & Training | Total Due or Overpaid | Total | Pension Apprenticeship & Training | | Reported Hours Exceptions | |
| Fund Type 002 012 | | | | | C-2 | Schedule |
| Trust Fund Contribution Rates 5.84 5.84 0.60 0.60 | <u>-\$1,764.56</u> | -\$1,764.56 | -\$1,600.16 -164.40 | | -274.00 | January |
| tribution Rates 5.84 0.60 | <u>\$0.00</u> | \$0.00 | \$0.00 0.00 | | 0.00 | February |
| 5.84 | \$0.00 | \$0.00 | \$0.00 | | 0.00 | March |
| 5.84 0.60 | -\$354.20 | -\$354.20 | -\$321.20 -33.00 | Detail o | -55.00 | April |
| 5.84 0.60 | -\$489.44 | -\$489.44 | -\$443.84 -45.60 | of Contributio | -76.00 | May |
| 5.84 0.60 | <u>-\$998.20</u> | -\$998.20 | -\$905.20 -93.00 | Detail of Contributions Due or Overpaid on | -155.00 | <u>June</u> |
| 5.94 | -\$989.01 | -\$989.01 | -\$989.01 0.00 | erpaid on Repo | -166.50 | <u>July</u> |
| 5.94 0.00 | -\$599.94 | -\$599.94 | -\$599.94 0.00 | Reporting Exceptions | -101.00 | August |
| 5.94 0.00 | <u>-\$427.68</u> | -\$427.68 | -\$427.68 0.00 | ons | -72.00 | September |
| 5.94 | \$0.00 | \$0.00 | \$0.00 | | 0.00 | October |
| 5.94 0.00 | <u>\$0.00</u> | \$0.00 | \$0.00 | | 0.00 | November |
| 5.94 0.00 | \$0.00 | \$0.00 | \$0.00 | | 0.00 | December |
| | -\$5,623.03 | -\$5,623.03 | -\$5,287.03 -336.00 | | -899.50 | <u>Total</u> |
| 2aa 70 | | | | | | |

| Total Reportable Hours Total Hours Reported Total Reporting Exceptions | Smith, E XXX-XX | Sanchez, R XXX-XX | Salinas, E XXX-XX | Rodriguez, M XXX-XX | Murley, M XXX-XX | Johnson, M XXX-X | Employee Name SSN | Washington-Idaho Cement Masons Employers Retirement Trust Fund Lundeen Simonson, Inc. Account#: 48083 Rate Code: 072 Key: Reportable Hours 1 Hours Reported 2 Reporting Exceptions 3 |
|--|-------------------------|-------------------------|----------------------------|-------------------------|----------------------------|----------------------------|----------------------|--|
| | | | | | | | Key | asons Emp |
| 3 | 3 | 3 | 3 | 3 | 3 | 3 | | oloyers R |
| 184.50 458.50 -274.00 | 0.00 36.00 -36.00 | 0.00 38.00 -38.00 | 0.00 80.00 -80.00 | 0.00 40.00 -40.00 | 102.00 142.00 -40.00 | 82.50 122.50 -40.00 | January | etirement Tr |
| 0.00 0.00 0.00 | | | | | | | February | ust Fund |
| 0.00 0.00 0.00 | | | | | | | March | |
| 74.50 129.50 -55.00 | | | | | | 74.50 129.50 -55.00 | April | ъ |
| 40.00 116.00 -76.00 | | | 40.00 116.00 -76.00 | | | | May | Detail of Reporting Excep |
| 44.50 199.50 -155.00 | | | 44.50 199.50 -155.00 | | | | June | Detail of Reporting Exceptions |
| 0.00 166.50 -166.50 | | | 0.00 166.50 -166.50 | | | | July | Exceptions |
| 0.00 101.00 -101.00 | | | 0.00 101.00 -101.00 | | | | August | tions December 2016 |
| 0.00 72.00 -72.00 | | | 0.00 72.00 -72.00 | | | | September | |
| 0.00 | | | | | | | October | |
| 0.00 0.00 | | | | | | | November | So. |
| 0.00 0.00 0.00 | | | | | | | December | Schedule: C-2 |
| 343.50 1,243.00 -899.50 | 0.00 36.00 -36.00 | 0.00 38.00 -38.00 | 84.50 735.00 -650.50 | 0.00 40.00 40.00 | 102.00 142.00 -40.00 | 157.00 252.00 -95.00 | Total | |